United Nations S/PV.5703

Security Council

Sixty-second year

Provisional

5703rd meeting

Friday, 22 June 2007, 10 a.m.
New York

President:	Mr. Verbeke	(Belgium)
Members:	China	Mr. Li Junhua
	Congo	Mr. Gayama
	France	Mr. De La Sablière
	Ghana	Mr. Tachie-Menson
	Indonesia	Mr. Kleib
	Italy	Mr. Spatafora
	Panama	Mr. Arias
	Peru	Mr. Chávez
	Qatar	Mr. Al-Bader
	Russian Federation	Mr. Churkin
	Slovakia	Mr. Burian
	South Africa	Ms. Qwabe
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
	United States of America	Ms. Wolcott Sanders

Agenda

Protection of civilians in armed conflict

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07-39152 (E)

The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Protection of civilians in armed conflict

The President (*spoke in French*): I should like to inform the Council that I have received letters from the representatives of Argentina, Canada, Colombia, Germany, Guatemala, Israel, Japan, Liechtenstein, Mexico, Myanmar, Nigeria, the Republic of Korea, Rwanda and Tunisia, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation, under rule 39 of its provisional rules of procedure to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

There being no objection, it is so decided.

I invite Mr. Holmes to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Council will hear a briefing by Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator. I now give him the floor.

Mr. Holmes: Thank you for this opportunity to brief the Security Council on the protection of civilians in armed conflict. That is one of my top priorities, as indeed it should be for all Member States. In the four months that I have been Emergency Relief Coordinator, my visits have included the Darfur region of the Sudan, Chad, the Central African Republic, northern Uganda and Somalia. In each of them, and in too many other places as well, I have seen how hundreds of thousands of civilians have been uprooted from their ordinary lives by the effects of conflict and left stranded, their fate of no apparent consequence to those who fight around them. Countless thousands have been killed, injured, maimed, assaulted, humiliated, ignored and treated as less than human.

It is hard not to conclude that for all our advocacy on behalf of civilians in need of protection, and for all the resources that are now devoted to all aspects of protection by the humanitarian and peacekeeping communities, we are still failing to make a real and timely difference for the victims on the ground. That is an oversimplification, as I shall try to explain. But we cannot afford to do anything but look the facts in the face. Lip service is easy; effective action is much harder.

Protection can mean different things. To most people it means what it says: physical protection of innocent people from those trying to harm them. We must not lose sight of that primary meaning. However, protection of civilians in armed conflict also has a particular significance in the work of humanitarian organizations and in the context of the Council's responsibilities. For the Council, it represents a series of primary objectives outlined in its own aide memoire (S/PRST/2002/6, annex), prepared at the request of and adopted by the Council, which aim to transform the security, political, legal and moral environment in which all concerned operate. Those objectives include: security for displaced persons and host communities; ensuring access to those in need and a secure environment for humanitarian workers; strengthening the rule of law, in particular police and justice systems; protection of women and girls in particular from gender-based violence; involvement of women in decision-making and incorporating gender perspectives at every level and in all areas; ensuring the rights of children by preventing their recruitment, ending abduction, supporting family reunification and fulfilment of basic needs; action on disarmament, demobilization, rehabilitation and reintegration of

soldiers; and finally, arms control, mine action, reconciliation and reconstruction programmes.

The list is long and important. And the increasingly widespread acceptance of these ideas and principles, together with the existence of institutions and staff specifically charged with monitoring and, where possible, ensuring their observance, is a huge step forward. So too is the agreement of 191 Member States in the 2005 World Summit Outcome (General Assembly resolution 60/1) on a fundamental "responsibility to protect", a norm that not only emphasizes the primary responsibility of each State to protect its citizens and those within its jurisdiction from genocide, war crimes, ethnic cleansing and crimes against humanity but also recognizes the role of the international community and the United Nations in helping States to exercise that responsibility.

I believe we are gradually making a difference as to what is regarded as acceptable and normal and that that will have a profound effect over time. The activities of the International Criminal Court (ICC), the four seminal resolutions of the Council and the specific inclusion in peacekeeping mandates of provisions on the protection of civilians are all key steps in changing the international environment. And we are seeing improvements on the ground in some areas. More robust peacekeeping and the strategic deployment of peacekeepers in the interests of protecting civilians has helped to facilitate returns or, at the least, an environment conducive to the provision of assistance in places such as the Democratic Republic of the Congo. In northern Uganda, southern Sudan and Nepal, relative peace and stability are allowing some refugees and internally displaced persons (IDPs) to return to their homes and to begin the arduous task of re-establishing their lives. Implementation of the cluster approach should lead to a more coordinated protection response at the field level among United Nations agencies and their partners through the action of a specific protection cluster.

In many places, however, the picture remains sombre and profoundly worrying. Allow me to highlight three areas of particular concern.

The first is the targeting of civilians, whether deliberately or through lack of concern about the consequences of the use of force. As noted by the Council in its resolutions on the protection of civilians, such acts are flagrant violations of international humanitarian law. Yet, day in and day out, they are too often what we see, particularly in the internal conflicts and civil wars that have increasingly replaced wars between States in today's world.

Civilians bear the brunt of indiscriminate firing and violence in populated areas, including cities, where warring parties fail to distinguish, or even to try to distinguish, between combatants and the civilian population; or where they employ methods of combat or types of weapons — such as cluster bombs — that are out of all proportion to any military advantage to be gained; or where, just as culpably, they deliberately place themselves among civilian populations to try to deter attacks or at least ensure that the opposing side will damage its own image by killing civilians if they do attack.

In Somalia, fierce fighting in Mogadishu involving heavy weapons, between March and early May, resulted in the killing of over 400 civilians and the wounding of 700 more — for the most part, older people, women and children — as well as the destruction of countless homes and livelihoods. Civilian casualties resulting from the indiscriminate use of force — whether from Israeli military operations, from violence between Palestinian factions, or from indiscriminate rocket attacks on Israel itself — have characterized fighting in the occupied Palestinian territory.

In Afghanistan and also in Iraq, in addition to the dreadful toll of civilian deaths caused by insurgents and militias on all sides, the civilian casualties resulting from security operations of multinational forces and Government security forces are of increasing concern, even if there is no suggestion of deliberate targeting. Last weekend in Afghanistan was particularly tragic — 18 children died as a result of separate attacks by insurgent and multinational forces — and the overnight news of possible further civilian deaths reinforces that concern. In Iraq, the United Nations Assistance Mission for Iraq (UNAMI) estimates, an average of 94 civilians died violently every day throughout 2006 owing to the actions of all sides in the conflict.

Civilians are too often deliberately targeted in order to create a climate of fear and to destabilize populations. We see this in calculated attacks by Janjaweed and other militias on innocent villagers in Darfur and Chad; in brutal sectarian, ethnic and

political violence in Iraq; in the large-scale killing and abduction of civilians, particularly women and girls, by ruthless armed groups in the Democratic Republic of the Congo, as well as arbitrary executions and acts of banditry attributed to Government forces; and in assassinations, disappearances and other violations of international humanitarian law and human rights law by those bearing arms in places as far apart as Sri Lanka and Colombia.

One particularly horrifying trend is the increasing use of suicide attacks including car or truck bombs, or improvised explosive devices (IEDs), to use the chilling technical term. Such attacks are most often perpetrated quite intentionally in public places: places of worship, markets, squares and other civilian areas where people gather in the normal course of their lives and where there is no military advantage to be gained. The inevitable result is carnage among wholly innocent civilians, thousands of lives ruined forever and a pervading sense of insecurity, disrupting even the most basic forms of public life. In Iraq, UNAMI reports, over 700 civilians were killed and more than 1,200 injured in such attacks during the first three months of this year alone. Only three days ago, the bombing of a mosque in Baghdad resulted in the death and injury of over 200 civilians. Similar trends in countries such as Afghanistan, Lebanon and Somalia are profoundly worrying.

Those who send so many young men and women to their bloody ends, along with their innocent victims, in order to foment ethnic or sectarian tension and violence bear a heavy responsibility. Those who keep quiet about such attacks or even privately applaud them share that responsibility and appear heedless of the likelihood that they, or their societies in their turn, may become victims of this inhuman method of spreading pointless death and destruction.

Another repugnant manifestation of the deliberate targeting of civilians, also too common in too many of today's conflicts, is gender-based violence, particularly sexual violence. It has been used as a calculated method of warfare in places such as Bosnia, Rwanda and Liberia and is currently used in the Democratic Republic of the Congo and occasionally in other conflicts too, including that in Darfur. Its aim is to brutalize and instil fear in the civilian population — especially women and girls, but also sometimes boys and men — to weaken their resistance and resilience through humiliation and shame and to destroy the social fabric of entire communities. Survivors are left with horrific physical and psychological scars. In the South Kivu province of the Democratic Republic of the Congo, over 27,000 cases of sexual violence were reported in 2005 and 2006. From March 2006 to April 2007, 6,000 cases of sexual violence were reported in Ituri, also in the east of the Democratic Republic of the Congo. Only a handful of those cases have ever been the subject of a judicial process.

In its resolution 61/134, the General Assembly urged all Member States to take effective measures to address gender-based violence in humanitarian emergencies and to make all possible efforts to ensure that their laws and institutions are adequate to prevent, investigate and prosecute acts of gender-based violence. The Council, in its resolution 1674 (2006), condemned in the strongest terms all sexual and other forms of violence against civilians in armed conflict, in particular women and children. The Council undertook to ensure that peace support operations work to prevent such violence and address its impact where it takes place. That is vital, as is the International Criminal Court's recent decision to investigate cases of rape in the Central African Republic.

Nevertheless, the nature of sexual violence and its consequences demand that we, the United Nations and its Member States — particularly those within whose borders such crimes are committed — do much more to prevent and respond to them and to hold to account their perpetrators, as well as the commanders under whom such crimes are committed. That requires more robust coordination and more coherent action by United Nations agencies and their partners. The United Nations recently launched United Nations Action against Sexual Violence in Conflict, a coalition of 12 United Nations entities that aims to do just that, as well as to support national efforts to prevent sexual violence and respond effectively to the needs of survivors.

Combating gender-based violence also requires still greater stigmatization of such violence by national courts and the ICC as a particularly grave form of war crime and crime against humanity. Last but not least, the United Nations itself and Member States must do still more to prevent sexual exploitation and abuse by peacekeeping forces operating in the name of the United Nations and to ensure that there is no impunity for those responsible.

A second area of particular concern is the continuing displacement of civilians as a result of, or sometimes as the very purpose of, conflict. The Office of the United Nations High Commissioner for Refugees (UNHCR) reports that there were an estimated 9.9 million refugees at the end of 2006, an increase in the global refugee population for the first time since 2002 — primarily because of refugee flows from Iraq — as well as 24.5 million internally displaced persons, all people deliberately forced from their homes and normal lives, or having had to flee to avoid violence and conflict and to meet their basic needs and those of their families.

In Iraq, UNHCR currently estimates that there are 2.2 million people internally displaced, while a further 2.2 million have sought refuge abroad. In Darfur, the ranks of the internally displaced continue to swell, with over 150,000 people displaced during the first five months of this year alone, bringing the total number again to well over 2 million. More than 237,000 people have also fled Darfur for neighbouring Central African Republic and Chad, countries which are also confronted by large internally displaced populations of 212,000 and 150,000, respectively.

In the Central African Republic, the figures have increased by more than 60,000 in the last six months. In Somalia, the intense violence in Mogadishu between March and early May displaced some 390,000 people, to add to the many hundreds of thousands long-term displaced. There may still be as many as 700,000 IDPs in Côte d'Ivoire, despite recent political progress. And in Sri Lanka, 300,000 people have been internally displaced during the last 15 months due to hostilities. Overall, it is estimated that so far this year an additional 1.5 million people have been internally displaced by war in those and other countries.

While displacement is as old as war itself, that does not mean that we should accept it as inevitable. On the contrary, we must look for better ways of preventing the conditions that lead to displacement, as well as trying to deal with the results. That includes emphasizing, in our actions and resolutions, the right to voluntary, safe return and the rejection by the international community of the results of ethnic or sectarian cleansing. To do otherwise would be to condemn millions to lasting misery and degradation. As I heard and saw for myself in the camps that I visited in Africa, becoming displaced often marks only the beginning of further frightening challenges to survival. These include continuing insecurity; occasionally, as we have seen in Darfur, repeated displacement through attacks on camps; and exposure to further serious risks, especially in militarized camp settings, such as gender-based assaults and forced recruitment.

Despite the efforts of relief agencies, displacement too often leads to hunger and illness, both physical and mental. It erodes human dignity, as individuals and families become dependent on others for their survival. Where children are deprived of access to education and adequate health care, the effects of displacement can last a lifetime and ruin future generations, too, with camps becoming the frame of reference for what is normal. For too many of the world's displaced, the experience will translate into a permanent loss of livelihood, culture and opportunities, and turn into chronic destitution. Life in a camp, even when basic needs are met, is a life of misery: inactivity and boredom are profoundly debilitating and commonly lead to increasing politicization and militarization on the part of those concerned, thus perpetuating cycles of violence and further reducing the chances of returning to peace, stability and normality.

Even if peace can be restored, there is still the enormous challenge of returning home and re-establishing lives, sometimes after a few months but often after many years or even generations. As we see in northern Uganda and southern Sudan, that also involves addressing specific protection challenges if return is to be truly voluntary, safe, dignified and, ultimately, sustainable. Aside from the provision of basic services, these challenges include restitution of land and property, community reconciliation, and the painstaking clearance of landmines and unexploded ordnance in areas of return.

The third area I would like to emphasize today is access and security for humanitarian workers themselves. The Council has often underlined the importance of safe and unhindered access for humanitarian staff to civilians in armed conflict. In all my encounters in the field, aid workers have emphasized access as the main prerequisite for humanitarian action, which, for millions of vulnerable people caught up in conflict, is often their only hope for survival. Yet frequently, and, I fear, increasingly, we see that such access is anything but safe and far from unhindered.

In Darfur, the targeting and harassment of aid workers continues to place enormous strain on the delivery of life-saving assistance to millions of people. Between January and May of this year, more than 60 humanitarian vehicles were hijacked, usually by rebel groups of one kind or another, and 56 staff temporarily abducted. Thirty-one aid convoys were ambushed and looted, and 13 relief organizations forced to relocate due to attacks. Of particularly grave concern are incidents of assaults against, and detention of, humanitarian staff and the killing of one non-governmental organization (NGO) and one United Nations staff member and 10 African Union personnel.

Certain agencies and NGOs contributing to providing some measure of protection to the displaced and drawing attention to abuses have been harassed by the authorities. The Joint United Nations-Government of the Sudan communiqué agreed in April has begun to produce some results in terms of reductions of other so-called bureaucratic obstacles, which is most welcome, but there remains a long way to go.

In Sri Lanka, more than 600,000 inhabitants of the Jaffna peninsula have faced shortages of basic necessities since August of last year, when the Government and the Liberation Tigers of Tamil Eelam (LTTE) restricted access to the peninsula by road and by sea, respectively.

In Iraq, access for United Nations agencies and international NGOs is extremely limited throughout the country due to the high level of insecurity. If we are to do more to tackle the growing humanitarian crisis within that country, it will be important to establish an understanding with the parties to the conflict, regional actors and key Member States on the fundamental importance and inviolability of access and security for humanitarian workers.

Elsewhere, too, we continue to see deliberate and unacceptable attacks on aid workers. This month alone, we have seen the killing of two staff members of the Lebanese Red Cross at the Palestinian refugee camp of Nahr el-Bared, the scene of fighting between Lebanese forces and Fatah al-Islam militants; the killing of a Médecins Sans Frontières staff member in the Central African Republic after her vehicle was shot at, apparently by members of the Popular Army for the Restoration of Democracy; the killing in West Darfur of a staff member of Action by Churches Together-Caritas; and the murder of two workers from the Sri Lankan Red Cross. Let us remember that in 2006, 24 aid workers were killed in Sri Lanka, including 17 staff of Action Contre La Faim in a single horrifying act. The perpetrators of all these crimes are yet to be brought to account.

Killing humanitarian staff and arbitrarily denying access violates international humanitarian law. It also threatens the lifeline to hundreds of thousands of vulnerable people. I therefore propose that we should follow and assess more systematically the reasons for and consequences of such denials or restrictions and report instances of grave concern back to the Council, in accordance with resolution 1674 (2006).

In conclusion, if I have portrayed a somewhat bleak picture in this briefing, the reason is that there is still a lot to be bleak about, and no room for the Council or anyone else to be remotely complacent about what has been achieved so far. Nevertheless, as I have also tried to suggest, the picture is not devoid of progress or even of a certain degree of hope. The humanitarian community continues to work hard to improve its performance in protection on the ground, through its focus on the issue, its monitoring and advocacy, awareness-raising and capacity-building, and devotion of specific staff to this cause. International presence on the ground, even an unarmed presence, can make a huge difference in inhibiting violence against civilians, which is why access and a keen interest in protection from those who have access are so vital.

This Council has taken important steps towards better protection for civilians through its actions and its resolutions, the dividends of which are, for example, being seen in terms of more robust peacekeeping and more strategic and protection-related deployment of peacekeepers in the Democratic Republic of the Congo. I suggest that it may also be useful to take a systematic look at the practical effect that the inclusion of protection of civilians in a number of peacekeeping mandates has had on the ground in order to draw the right lessons for future deployments.

And if there is one thing we need to do above all, it is to end the culture of impunity which underlies so many abuses. Rule of law and judicial redress are crucial and should be emphasized in everything we do. In the particular case of sexual violence, more involvement of women in all aspects of protection, including peacekeeping itself, would make a real difference to attitudes.

More broadly, while humanitarians can ensure survival and dignity to a certain degree; while peacekeepers can enhance the safety and security of affected populations; and while, together, we can help create a climate conducive to reconciliation, it is worth repeating again that only political solutions can end the vast majority of conflicts. The United Nations, including this Council and the Member States, must decide once and for all to invest more in conflict prevention, in facilitating political solutions through increased mediation capacity and support to help resolve conflict, and in immediate post-conflict measures to prevent rapid relapse into conflict.

For my part, I will continue to work with colleagues in the Department of Political Affairs and the Department of Peacekeeping Operations to ensure that protection concerns are fully integrated into our mediation and peacekeeping efforts. I will also continue to engage this Council and Member States in seeking improved implementation of the resolutions on protection of civilians and more systematic inclusion of protection of civilians concerns in the work of the Council. I will also continue to bring situations of grave humanitarian concern to the Council's attention through briefings, through the reports of the Secretary-General, or where necessary, and pursuant to resolution 1674 (2006), directly through the Secretary-General. Only where the international community is united and resolute can we hope to protect the defenceless, as we have the obligation to do.

The President (*spoke in French*): I thank Mr. Holmes for his important briefing.

In accordance with the understanding reached among Council members, I wish to remind all speakers to limit their statements to no more than four minutes in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate the texts in writing and to deliver a condensed version when speaking in the Chamber.

Mr. Arias (Panama) (*spoke in Spanish*): At the outset, allow me to thank Mr. Holmes, Under-Secretary-General for Humanitarian Affairs, for his clear and precise briefing, which reflected the alarming effects of human violence.

We also wish to acknowledge the outstanding work of the Office for the Coordination of Humanitarian Affairs, which is responsible for providing assistance to millions of civilians suffering the consequences of armed conflict, particularly children and women.

We cannot speak of the protection of civilians in armed conflict without first referring to the prevention of such conflicts. This Council is obligated under its Charter mandate to take measures to prevent conflicts, which requires us to understand in depth the specific causes that have led to them. Many such causes transcend mere political and military confrontations. Terrorism, the HIV/AIDS epidemic and the impact of climate change are important factors to take into account when we consider conflict prevention.

Moreover, the protection of human rights must always be the guiding principle of the Security Council's work, be it in the context of preventing or of resolving conflicts. In addition to being one of the pillars of this Organization, respect for human rights is the basis for a peaceful society because, where those rights are guaranteed, the principal structural, psychological and cultural causes of conflict cease to exist.

While we assert that preventing conflicts is an important part of our work, solving them is equally so. In undertaking that task, we must above all protect civilians in armed conflict — those who take no part in it, especially women and children. In armed conflicts, civilians fall victim to violent attacks whose physical and psychosocial effects often last longer than the conflict itself. They may also lose their homes, their livelihoods, their right to education and health care, and other fundamental rights. In the worst cases, they may lose their lives and their families.

Thus, international humanitarian law — specifically the Hague and Geneva Conventions and their protocols, other human rights instruments and Security Council resolutions — provide a broad and compelling framework for United Nations action to protect civilians in armed conflict.

Nevertheless, this Organization has often failed to resort to those mechanisms to act, shirking our responsibility to protect civilians in the most atrocious conflicts. The conflicts in Rwanda and the former Yugoslavia in the 1990s, the current conflict in Darfur and the recent events in Lebanon are clear examples of that situation. The failure to act has cost this Organization credibility, but the blow to our reputation is insignificant when weighed against the loss of

innocent lives. We must never forget those victims if we wish to avoid falling once again into inertia.

I cannot conclude without stressing the ultimate role of this Organization with respect to international humanitarian law, as reflected in paragraphs 138 and 139 of the Outcome Document of the 2005 World Summit, which refer to the responsibility of States and the international community to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

It is our understanding that the responsibility to protect implies that, over and above the principles of sovereignty, territorial integrity and non-interference in the internal affairs of States, when a State or, to phrase it more aptly, its governmental institutions are unwilling or unable to meet their responsibility to protect the human rights of their citizens, it is up to the international community, and the United Nations in particular, to adopt timely and decisive collective measures to do so.

Mr. Chávez (Peru) (*spoke in Spanish*): I wish at the outset to thank Mr. Holmes, Under-Secretary-General for Humanitarian Affairs, for his excellent briefing, which brought home the need to recognize that much remains to be done if the United Nations, including the Security Council, is to be effective in protecting civilians who find themselves immersed in various armed conflict throughout the world.

We therefore express our concern at the dangerous situations that continue confront civilians in conflicts, where they fall prey to insecurity, violence and the violation of their human rights. The cases we have seen in the Democratic Republic of the Congo, Somalia, Gaza, Iraq, Darfur, Chad, Afghanistan and Kosovo — to name just a few — show that, despite the good intentions of the international community, the Security Council and the respective Governments involved, the civilian population, and the displaced above all, remain without improved protection and are often the direct targets of attacks and gender-based violence.

Given the situations described in the briefing, it is necessary to reaffirm the responsibility of all parties involved in armed conflict to respect their obligations under international law regarding the protection of civilians. Likewise, parties must ensure humanitarian access to populations affected by conflict. They must also provide protection for the staff of humanitarian agencies providing necessary assistance.

We share the Under-Secretary-General's concern about the high and ever-increasing number of refugees and internally displaced persons, who need effective humanitarian responses to meet their needs. The needs that arise from the cases described by the Under-Secretary-General in his briefing, which no one would like to see repeated in the future, will require that the Security Council and the United Nations system intensify their efforts to make a real difference in the protection of civilians and to ensure the protection of their human rights. In that connection, Peru would like to highlight some considerations that may useful in that regard.

First, the Security Council must seek to ensure the full implementation of resolution 1674 (2006), which contains crucial provisions for the improvement of the international system to protect civilians in armed conflict. That includes the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

Secondly, the Council must continue to support bodies and international organizations providing humanitarian assistance, especially those present on the ground, in order to improve the efficiency of the protection of civilians, including internally displaced persons.

Thirdly, the Council must continue to seek new ways to address growing humanitarian challenges. That must be done in cooperation with other bodies of the United Nations system. An innovative example in this area is the Central Emergency Response Fund, which is intended to provide support to populations in need of humanitarian assistance.

Fourthly, the Council must cooperate with the International Criminal Court to combat impunity. Effectively punishing those responsible for serious violations of human rights is both an obligation of the international community and a way of sending a strong message about the rule of law.

Finally, the Council must continue to work with the Peacebuilding Commission.

In conclusion, I would like to point out that Peru believes that overcoming crises and restoring long-desired peace to countries in conflict pose a challenge to the Security Council: to bridge the gap between

good intentions and implementing concrete measures to protect civilians. We must therefore above all recognize that strengthening post-conflict protection for civilians requires decisive steps to build sustainable institutions in affected countries, including the establishment of stable economic conditions and development strategies, with a view to preventing social exclusion, which in many instances is the main cause of domestic conflict in the first place.

Ms. Wolcott Sanders (United States of America): We are encouraged that this meeting provides a forum for us to jointly reaffirm our commitment to the protection of civilians in armed conflict. We reiterate that the primary responsibility for protecting civilians lies with the parties to an armed conflict, and that international efforts should complement that function. However, in situations where parties to an armed conflict are unable or unwilling to protect civilians, the international community has a distinct role to play. I would like to touch on a few key elements of this topic that we feel require particularly close attention and warrant full Security Council support.

The recurrent use of sexual and gender-based violence is arguably one of the most significant protection challenges, due to its scale, profound impact and tendency to be ignored. Sexual and gender-based violence must be more effectively addressed. United Nations peace support missions have a clear role to play in preventing that violence and addressing its impact.

In Burma, for example, there are widespread reports of serious human rights abuses, including rape by Burmese military personnel in conflict areas and other ethnic minority areas. The Burmese army's strategy of forced relocation to deny support to armed insurgents reportedly has been accompanied by serious human right abuses, including rape. Burmese refugees newly arrived in Thailand and internally displaced Burmese near the Thailand-Burma border report that Government soldiers in the Chin, Karen and Karenni states continue to rape women and girls there. Killings, beatings, torture and rape by Government soldiers have also been reported against Shan, Rohingya, Mon and other ethnic minorities. The youngest rape victim was only eight years old. Other abuses of civilians reportedly perpetrated by Burmese military personnel include forced labour, the recruitment and use of child soldiers, seeding villages with landmines, using civilians to clear mines and the destruction of homes, granaries, animals and other civilian property.

In Darfur, as in other cases where rape has been used as a tool of armed conflict and/or of political oppression, rape by Government soldiers and/or their allied militias is widespread and systematic, and is typically committed in ways that appear designed to humiliate and demoralize not only the victims but also the communities of which they are members. The Office of the United Nations High Commissioner for Human Rights recorded in April 2007 that there was "widespread sexual violence during attacks by Sudanese Government forces and allied militia last December".

Where necessary, the protection and creation of secure environments for displaced populations should be a primary objective for peacekeeping. We reiterate that the Emergency Relief Coordinator and his Office should be engaged in the planning of United Nations peacekeeping efforts from the earliest stages.

The protection of internally displaced persons remains one of the biggest challenges facing the United Nations and the international community. It is important to state that internally displaced civilians living in camps are not always protected from serious human rights abuses. We applaud the work done by the Inter-Agency Standing Committee under the leadership of Under-Secretary-General Holmes in continuing to develop leadership and accountability in the protection sector. We strongly feel that this approach has the potential to strengthen the United Nations response capacity in humanitarian assistance and protection, providing a critical point of coordination, ensuring the efficient use of resources and maximizing impact.

Let me now turn to a few current situations of particular concern.

In the Sudan, attacks on civilians and deliberate displacement have been used as tactics of war, in flagrant violation of international law. While large-scale attacks on civilians have decreased in some areas of Darfur, grave protection concerns persist throughout the region. The briefing by Under-Secretary-General Holmes to the Council following his mission to the Sudan (see S/PV.5655) painted a stark picture of a humanitarian situation on the brink of an even larger-scale catastrophe. The situation in Darfur illustrates clearly the urgent role that the international community must play to ensure the safety of civilians, including

those who are internally displaced, when traditional means of protection have broken down.

Due to the continuation of violence and the tenuous security environment in Darfur, both those civilians affected by the conflict and those trying to provide humanitarian assistance are under direct threat. We continue to receive reports of attacks deliberately targeting United Nations and other humanitarian personnel. We stress the responsibility of the Government of the Sudan to hold those responsible accountable.

We further call on all parties to cease hostilities and to cooperate with the international community to advance a peaceful resolution of the crisis, including by facilitating the deployment of an effective hybrid peacekeeping force, easing the delivery of humanitarian assistance and supporting a viable United Nations/African Union-led peace process.

We reiterate the recent appeal by the International Contact Group for Somalia for an immediate cessation of hostilities, and we continue to call on all parties to facilitate humanitarian access for the delivery of life-saving aid. We expect the Transitional Federal Government to facilitate the critical work of the United Nations and humanitarian non-governmental organizations. We remain committed to supporting humanitarian assistance in Somalia.

The suffering of the Iraqi people, and the many innocent lives lost due to the violence in Iraq, is deplorable. Multinational forces in Iraq and Afghanistan are conducting military operations. At all times during such operations, the multinational forces strive to minimize any collateral damage and to avoid harm to the civilian population.

We all recognize the profound tragedy of civilian casualties during times of armed conflict. Insurgent activity that is aimed at civilians and that selects civilians as targets is an entirely different matter. It is an abomination and should be summarily condemned. It is inappropriate to equate any such deliberate targeting of civilians by terrorists to the operations of multinational forces in Iraq and Afghanistan aimed at restoring security and stability for the people of those countries.

We also remain deeply concerned about the numbers of internally displaced persons and refugees who have fled their homes due to violence and unrest in Iraq. We have strengthened and expanded our own programmes that address this humanitarian issue, and we urge broad international involvement. In particular, we urge the United Nations agencies currently in Amman to consider increasing their presence in Iraq. United Nations involvement will be critical to helping this vulnerable population, including through support to the Governments of Jordan and Syria to help them in providing education of displaced Iraqi children currently in their countries.

As we once again reaffirm our commitment to strengthening and reinforcing the protection of civilians in armed conflict, let us ensure that our words and intentions become real action.

Mr. Spatafora (Italy): I would like to express the strongest appreciation to Under-Secretary-General Holmes for his passionate briefing, which provided a comprehensive picture of the progress made and of our continuing concerns about the protection of civilians in armed conflicts, which is one of our top priorities, as Under-Secretary-General Holmes rightly emphasized.

Italy fully associates itself with the statement to be delivered later by the representative of Germany on behalf of the European Union. Allow me to make only a few additional remarks.

Resolution 1674 (2006) marked a milestone in the work of the Security Council, affirming the responsibility of States to protect civilians in armed conflict, in line with the principles of international humanitarian law. We welcome the progress and positive achievements made in this field, which is at the core of United Nations activity in conflict prevention, peacekeeping and rapid response in times of crisis. We now have to focus on how to ensure the steady implementation of resolution 1674 (2006) — to move from words to deeds, as our colleague from the United States has just said. In this respect, Italy would like to stress three simple operational ideas. The first is to systematically address the issue of protection of civilians on the ground upon revision of the mandates of United Nations missions and operations. The second is to use a framework based on that of the Working Group on children in armed conflict and its reporting mechanism also for protection of civilians in armed conflict so as to provide, as so rightly highlighted by Under-Secretary-General Holmes, a better system of proactive — I stress the word "proactive" — monitoring and prevention, advocacy, awareness-

raising and capacity-building. The third idea is to encourage further cooperation among the relevant actors to follow up on the decisions of the Security Council in this regard, taking into due account the crucial role of the United Nations Office for the Coordination of Humanitarian Affairs.

Under-Secretary-General Holmes's briefing was troubling in many ways. It addressed key protection issues, such as a rise in the deliberate targeting of civilians in conflict, the indiscriminate use of force, forced displacement and the issue of safety and access of humanitarian personnel. Let me briefly touch on a few aspects, before concluding my statement.

The protection of civilians is not an abstract political or legal concept. It is, of course, understood — as recalled by Under-Secretary-General Holmes and by many other previous speakers — that what is at stake here is the seriousness and credibility of our commitment to the responsibility to protect. Civilian suffering and casualties are very concrete, and particularly and increasingly troubling, realities in the very many crisis areas and the numerous aspects that were recalled by Under-Secretary-General Holmes. In this respect, we are particularly concerned about the protection of the most fragile groups, those who are the most exposed to the consequences of conflict. I am, obviously, referring to women and children.

Secondly, the consistent reports regarding the increase in the number of journalists being killed in conflict situations are alarming. Security Council resolution 1738 (2006) addresses the safety and security of journalists. Accordingly, Italy promoted the inclusion of a reference to it in resolution 1746 (2007), extending the mandate of the United Nations Assistance Mission in Afghanistan.

Thirdly, and finally, in situations where any civilian population is the target of attacks, the Rome Statute of the International Criminal Court provides the legal basis for holding accountable those responsible for the attacks if a State is unwilling or unable to do so. In this regard, we must reiterate our commitment to end impunity.

I would like to close with the words of Under-Secretary-General Holmes, who rightly emphasized that "if there is one thing we need to do above all, it is to end the culture of impunity which underlies so many abuses" (*supra*).

Mr. Al-Bader (Qatar) (*spoke in Arabic*): I would like to extend our sincere thanks to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, for his important briefing to the Council.

Since February 1999, the Security Council has adopted several resolutions that reflect the international community's increasing commitment to develop and improve ways to address the tragic suffering of civilians living in areas of armed conflict. Those resolutions, particularly resolution 1674 (2006), have condemned the deliberate targeting of civilians, acts of violence and attacks against civilians, the forced displacement of civilians and the deliberate denial of access for humanitarian assistance.

In spite of these efforts, the world continues to witness an increase in the deliberate targeting of civilians, including humanitarian workers, by terrorist attacks. Civilians living in conflict areas are still suffering under the scourge of forced displacement. There are other matters for grave concern, such as the indiscriminate use of force and the accidental killing of civilians in conflict areas or in areas where military operations are conducted. This situation requires all parties in such areas to take the necessary steps to prevent risks to civilians, in accordance with the Fourth Geneva Convention, of 1949.

On the same note, we would like to recall Security Council resolution 1674 (2006), which reaffirms the provisions of the 2005 World Summit Outcome (General Assembly resolution 60/1) regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We would like to emphasize that, on the theoretical level, the responsibility to protect civilians is an important humanitarian principle, for it embodies a noble humanitarian value: defending innocent people whose only fault is that they live in or near areas of conflict and who, in most cases, are intentionally targeted for pure political and ideological reasons. But, from a practical and operational perspective, we should be cautious in dealing with this principle in order that it not be exploited or abused. If we apply this principle, while respecting the ideals behind it, we should ensure that our objectives are not politicized, that they rise above individual interests and that they reflect purely humanitarian motives.

What we need today is the effective implementation of actions and measures contained in the relevant Security Council resolutions aimed at improving conditions for civilians in areas of armed conflict. In this regard, we would like to stress that the parties to armed conflict, whether Governments or non-governmental actors, are duty-bound to comply fully with their commitments under international law and relevant Security Council resolutions, since the responsibility to protect civilians rests, first and foremost, with the States concerned. The role of the international community is to provide the necessary protection to civilians and to find the means to mediate the settlement of conflicts peacefully. Peacekeeping, humanitarian relief operations and other forms of intervention under Chapter VII of the Charter of the United Nations in conflict areas are merely contingency solutions. Furthermore, urgent action is required to end conflicts in a definitive manner.

Security Council resolution 1674 (2006) lists various groups of civilians who suffer as a result of armed conflict and are in need of assistance and protection. That list, however, does not include the category of persons with disabilities in conflict areas, despite the serious impact that armed conflict has on such people. In that regard, we recall General Assembly resolution 60/131 on the implementation of the World Programme of Action concerning Disabled Persons, which expresses grave concern about the devastating consequences that armed conflict continues to have on the human rights of persons with disabilities, as well as the United Nations Convention on the Rights of Persons with Disabilities, the preamble of which stresses the importance of providing full protection to persons with disabilities, particularly in situations of armed conflict and foreign occupation.

In this regard, we would like to underline that it is important that the Secretary-General, in his next report on the protection of civilians in armed conflict, to be submitted in October 2007, take into account conditions for persons with disabilities in conflict areas with a view to strengthening and improving ways of meeting their needs.

Finally, we would like to reaffirm our full commitment to promoting and strengthening the protection of civilians in conflict areas, in accordance with the relevant Security Council resolutions.

Mr. De La Sablière (France) (*spoke in French*): I would like first of all to associate myself with the statement to be made later by the representative of Germany on behalf of the presidency of the European Union.

I would like to thank you, Mr. President, and your country, Belgium, for having provided us with this opportunity to discuss once again the protection of civilians in armed conflict. We welcome the Secretariat's continued involvement in this matter. I would also like to thank John Holmes for his introduction to our debate.

I would like to focus on four points. The first concerns respect for international humanitarian law. How could we fail to note that civilians are the first victims of conflict? Even more serious, they are increasingly being targeted. Parties to conflicts are showing increasing disdain for international humanitarian law. Indiscriminate attacks against civilians and humanitarian actors carrying out their missions have become increasingly common. Thus, humanitarian space is now no longer a sanctuary. That phenomenon is disturbing, and we believe that it is the duty of the Council to remind all parties that they may not, under any circumstances, fail to comply with international humanitarian law, including, of course, the four Geneva Conventions, as well as the two Protocols additional to those Conventions, whose thirtieth anniversary we have just celebrated. We should not forget that 167 States are parties to those Protocols, and we invite all those States that have not yet done so to ratify them as soon as possible.

Compliance with international humanitarian law requires rigorous action against impunity for violators. The Council emphasized, in resolution 1674 (2006), of April 2006, "the responsibility of States to comply with their relevant obligations to end impunity" (*para. 8*) and recognized the relevance of "the full range of justice and reconciliation mechanisms ... including national, international and 'mixed' criminal courts" (*para. 7*).

In that regard, the International Criminal Court has a pre-eminent role to play in trying those principally responsible for the most serious crimes when national courts are not in a position to do so. The cooperation of States and the United Nations with the International Criminal Court is essential. The obligation to cooperate following on from the Rome

Statute and from Council resolutions must be respected.

Finally, I wish to recall that international humanitarian law also applies, of course, to forces engaged in peacekeeping operations. France welcomes the Secretary-General's zero-tolerance policy regarding sexual abuse. We further recall the important principle of the non-refoulement of persons seeking refuge with the United Nations.

My second point concerns the protection of the most vulnerable populations. We note that sexual violence is now used regularly as a weapon of war. Such abominable crimes affect millions of individuals, and they must be prevented and punished. Resolution 1325 (2000) must be closely followed up in this regard.

Children are among the most vulnerable groups in that regard. The recruitment of children to serve in armed forces is equally unacceptable. On this front, however, some initial progress has been made thanks to the Security Council's action in the context of resolution 1612 (2005). We are pleased that the Sudan Liberation Movement has just signed a plan of action committing it to the demobilization of children. Also as a result of resolution 1612 (2005), other similar plans of action have already led to the release of several hundred child soldiers, in particular in Côte d'Ivoire. But that scourge still affects about 250,000 children throughout the world. We call on all the States mentioned in the annexes to the Secretary-General's report on this issue to fully commit to tangible cooperation with the Security Council, the Secretary-General's Special Representative and inter-agency task forces.

From Darfur to Iraq and Sri Lanka, millions of displaced people need protection. They are now more numerous than refugees, and the phenomenon is growing. We must afford them the greater protection they need owing to their vulnerability, with due respect for the Charter and the right of voluntary return.

Still with respect to the situation of the most vulnerable populations, I would add that we are concerned at the number of humanitarian personnel who have been killed. It is particularly inadmissible that those who come to help a population in distress should be targeted. Here, we must ensure compliance with resolution 1502 (2003).

Likewise, we are shocked to observe month after month that those who seek to shed light on situations of armed conflict, journalists, are being attacked while doing their job. At the initiative of France and Greece, the Security Council recalled, in resolution 1738 (2006), that journalists are civilians like others. The attacks against journalists must not go unpunished.

I turn now to the question of access to humanitarian assistance by vulnerable populations. As the Under-Secretary-General has just underlined, the question of access is central with respect to the protection of civilians. Without access, nothing is possible. Full, unimpeded access of humanitarian personnel to civilians who need aid is a central demand which the Council made in resolution 1674 (2006). We believe that the Council needs to be fully informed of obstacles to humanitarian assistance. In this perspective, my country would see only advantages in the Secretary-General's next report on the protection of civilians containing information on specific developments on this question, including in the form of an annex if necessary.

My fourth and last point deals with the contribution of peacekeeping operations to the protection of civilians. In resolution 1674 (2006), adopted by consensus in March 2006, the Council reaffirmed its practice of ensuring that the mandates of United Nations peacekeeping, political and peacebuilding missions include, where appropriate and on a case-by-case basis, provisions regarding, first, the protection of civilians, particularly those under imminent threat of physical danger within their zones of operation; secondly, the facilitation of the provision of humanitarian assistance; and, thirdly, the creation of conditions conducive to the voluntary return of refugees and internally displaced persons. I would recall that the Council stipulated in the same resolution that the protection of civilians should be given priority in decisions about the use of available capacity and resources and that protection mandates should be implemented.

Clearly, the Council has made demands with regard to United Nations operations, and those demands are ambitious when such operations are assigned a protection mandate. How do we assure that these demands are met? In our view, there are several possible approaches. First, it seems useful to enhance the doctrine of peacekeeping with a debate on the protection of civilians in the context of peacekeeping

operations; this could perhaps also lead to a debate on rules of engagement. Secondly, we think it is important to take into consideration, in the context of the regular reports to the Security Council on the implementation of the mandates of peacekeeping operations, the civilian protection aspect when it appears in such mandates. And finally, we wonder whether it might not be useful for the Department of Peacekeeping Operations to contribute to the Secretary-General's general reports on the protection of civilians and to be associated with the briefings the Under-Secretary-General for Humanitarian Affairs makes to the Security Council, at least with a view to responding to questions regarding the theatres of activity of certain operations.

These proposals are intended to give practical effect to the demands made in resolution 1674 (2006). They lead us to express our wish for further enhancement of the cooperation that already exists between the Office for the Coordination of Humanitarian Affairs and the Department of Peacekeeping Operations. We would appreciate it if, during his next briefing to the Security Council, Mr. Holmes would report to us on progress in that cooperation.

Mr. Kleib (Indonesia): First of all, let me join other speakers in thanking Under-Secretary-General Holmes for his briefing.

Civilians have always been victims of warfare, throughout the history of humankind. Today, the picture remains gloomy. Conflicts in Africa, the Middle East, the Balkans and other zones of war have caused a considerable number of civilian casualties. We therefore believe that the protection of civilians in armed conflict is an urgent matter. We also believe that existing measures to protect civilians must be strengthened and that new measures must be sought.

We continue to have high regard for legal measures in promoting the protection of civilians in armed conflict. In particular, we attach great significance to the 1949 Geneva Conventions and the 1977 Additional Protocols.

As far as complying with international humanitarian law is concerned, my delegation underlines that armed State actors and armed non-State actors have equal responsibility in the protection of civilians and in adherence to the law. Compliance with humanitarian and human rights law by armed State actors can in general be easily monitored through various existing modalities. Challenges appear when it comes to non-State armed groups. My delegation recognizes the limits of State-centric international instruments in addressing the issue of protection vis-à-vis those groups. Accordingly, my delegation stresses the need for alternative measures to hold non-State combatants accountable when they violate human rights and humanitarian norms. In this regard, we welcome the role of the International Committee of the Red Cross and other humanitarian and human rights agencies in promoting awareness of the instruments among non-State combatants and in ensuring that they obey those instruments. We believe that the United Nations could also contribute to that endeavour.

When conflict is taking place, civilians have also become displaced. Under such circumstances, they are generally deprived of their basic rights, including the right to food. Many die of disease or hunger. In that regard, we underline the critical importance of humanitarian assistance and continue to appreciate the value of humanitarianism in the protection of civilians in armed conflict. We continue to support the work of the Office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian agencies. We commend donor countries for their contributions and the countries receiving refugees for their generosity.

Indonesia is concerned over frequent incidents where humanitarian aid convoys are ambushed or where access to humanitarian assistance is restricted so that displaced civilians are out of reach. In our view, this tactic will only prolong the anguish of displaced civilians; thus, we cannot let it happen.

As regards conflict-induced displacement, my delegation has devoted particular attention to the needs of vulnerable groups, especially children and women. We stress that all parties to a conflict should make arrangements to meet the protection and assistance requirements of children and women and to ensure the unhindered delivery of basic necessary services.

We are also very concerned about the fact that humanitarian workers who provide the civilians with humanitarian assistance have increasingly become targets during armed conflict. This act is extremely deplorable, knowing that the workers went because they wanted to help and because they have ambition and wanted to mitigate human suffering.

Before I conclude, let me say a few words about the threat to civilians posed by landmines and other munitions. Civilians, including farmers and school children, in over sixty countries remain under the threat of anti-personnel landmines. The affected countries bear a costly burden and their citizens have to deal with potential death or injury every time they take a step.

We therefore welcome United Nations mine action activities carried out in collaboration with governments and other international organizations. We underline the importance of demining, victim assistance, mine-risk education and destruction of stockpiled landmines as part of mine action. We also urge countries that hold information about the sites of mines and other munitions they deployed during a war to share that information, especially with the United Nations, as a basis for further action.

My delegation holds the view that protection of civilians in armed conflict is multifaceted and thus requires comprehensive measures, including both legal and humanitarian measures. The political will of all parties concerned is essential in the implementation of those measures.

As a final point, we would like to reiterate that while protection of civilians in armed conflict should be strengthened, the best protection is the prevention of armed conflict itself. It is the role that the Security Council could play in promoting the prevention of conflict and in the maintenance of international peace and security.

Mr. Gayama (Congo) (*spoke in French*): Armed conflicts that in the past involved only military personnel are now involving civilians on a routine basis. In today's debate — which you were kind enough to convene, Mr. President, and we wish to thank you for that — conflicts we are discussing involve men and women of all ages, and the only thing they did wrong was to be in the wrong place at the wrong time, as innocent victims of the cruel game of those who control weapons.

So let us not talk about the category of civilians engaged in militias — whose objectives are debatable — who, having decided to engage in policy through means more violent than peaceful, seal their own fate. The only reason for that is ideology. These are the people who practice terrorism and the bulk of those they recruit, primarily from among extremists. Some of them are young or even only children.

It is for the young people and children that disarmament, demobilization and reintegration (DDR) programmes are increasingly being established, which are now part of the whole range of measures geared towards getting more young people back to civil society — which they never should have left behind — and which allow them to trade a rifle or combat fatigues for a more useful tool.

The third term of the DDR trilogy — the "R" of reintegration — is the measure whereby we assess the degree of reliability of a programme. It is the final point of a process whose objective is to build peace and to secure a commitment guaranteeing a non-return to the life of a fighter. That is where the Peacebuilding Commission should act, which now more than ever should be supported.

Serious attention should be paid to DDR programmes now underway in Burundi, Liberia, Sierra Leone and Côte d'Ivoire so that not only young people but the "reconverted" will be freed from unemployment in the long term and will cease being a source of constant misfortune for the citizens of their countries as agents looting, stealing, rape, maiming and other forms of insecurity.

Two days ago the entire world commemorated the International Day of Refugees, of which there now about 14 million, along with 20 million internally displaced persons spread through 23 countries. Among the victims of crimes of genocide and atrocities of all kinds — which are the source of famine, malnutrition, illness or simply of exclusion and anything else that can breed death or desolation — we count all of those who are denied all human dignity and the right to the first among human rights, which is the right to life. It is women, children and other categories of vulnerable people of whom we are thinking and for whom today the strict application of those rights should be demanded.

Now more than ever, the action that the Security Council is called upon to take should be taken in the most coherent manner possible with governmental and nongovernmental organizations committed to the noble task of protection of and assistance for civilians, direct or indirect causalities of armed conflicts. From that point of view, the recently concluded agreement among the United Nations, the African Union and the Sudan

for a hybrid operation in Darfur is of particular importance for hundreds of thousands of individuals who are victims of attacks and secret killings. We hope this will become a well-merited act of deliverance, which is long overdue.

The principle of responsibility and the duty to protect were highlighted during the 2005 Summit, when the international community took on the obligation to protect people from the crimes of genocide, war crimes, ethnic cleansing and crimes against humanity.

The international tribunals for Rwanda, the former Yugoslavia and Sierra Leone, concerning which the Council was briefed a few days ago, are today the expression of the professed will of the international community not only to recognize the sacred character of human life but also to convert that affirmation into a tangible reality and to punish those responsible for those attacks. Unfortunately, too many States still hide behind crassly political strategic interests, so as not to lend all the assistance needed by the Tribunals, even if — for example, in the case of the Lord's Resistance Army in Uganda or in Darfur or Somalia — some warlords, who have neither faith nor law, could have been severely punished.

The protection of journalists and humanitarian personnel is being given more attention, since now we see a situation of great concern, with tragedies sparing no continent. We see them in Southern Europe, Afghanistan, Sri Lanka, Iraq, the Middle East, the Democratic Republic of the Congo and Haiti.

Massive displacements of populations taken hostage, persecutions for cultural reasons, torture for political reasons or simply horrid crimes, the Janjaweed in Darfur of sinister reputation, Palestine, Somalia — all these have given us many lessons, enough for us to stress what Mr. Holmes said in his message at the start of the briefing.

More than ever, it is up to the international community to stand up to the increasing numbers of barbaric acts with the power of the law, of which the thirtieth anniversary of the Additional Protocols to the Geneva Conventions, relating to the protection of civilians in armed conflict, commemorated on 8 June, served as a timely reminder. In order for the 1977 Protocols to the 1949 Conventions to be effective alongside the relevant Security Council decisions — such as resolution 1674 (2006) of 28 April 2006 and resolution 1738 (2006) of 23 December 2006, adopted following the two most recent open debates on this item — it is now more necessary than ever to combine political will with an active consensus against the spirit and practice of terrorism, which continues to motivate too many parties to the human tragedies of our times.

In the international community's imperative fight in that area, conflict prevention and the promotion of political and socio-economic solutions form the essential basis for firmly establishing the rule of law, with all its implications in terms of human rights. This cannot fail to strengthen true peace and security.

In conclusion, my delegation wishes to thank the Belgian delegation for having taken the excellent initiative to convene this debate. We are prepared to support any future decision the Council might take in response to public opinion on the question of the protection of civilians in armed conflict.

The President (*spoke in French*): I thank the representative of Congo for the kind words he addressed to the presidency of the Council.

Mr. Li Junhua (China) (*spoke in Chinese*): At the outset, I wish to thank Under-Secretary-General John Holmes for his briefing. The Chinese delegation appreciates all his efforts and the work he has done on the ground since taking office. I also wish to pay tribute to the relevant United Nations agencies for their efforts in protecting civilians in armed conflict and in providing other humanitarian relief.

The item on the protection of civilians in armed conflict has been on the agenda of the Security Council for many years, during which numerous resolutions, including resolution 1674 (2006), and presidential statements were adopted. However, in almost every conflict situation, the circumstances of civilians have not been greatly improved. Some conflicts have eluded solution for too long or have escalated, leading to continuous deterioration of the humanitarian situation and consequently affecting additional civilians. Refugees and displaced persons have no access to essential relief. Therefore, while it is necessary for the Security Council to respond to a crisis in an integrated manner, addressing legal and political issues, it should also take a tailored approach when addressing a particular situation involving specific issues.

First, the Security Council should faithfully carry out its sacred duty, as provided for by the Charter of

the United Nations, by stepping up efforts to prevent and resolve conflicts. Civilians are the most vulnerable group in armed conflict and no remedial measure can save them from harm when they are caught in an armed conflict. Efforts to prevent or deal with crises will effectively contribute to alleviating the suffering of civilians. Efforts to prevent and reduce conflicts are the best protection for civilians. Meanwhile, together with other relevant bodies, the Security Council should identify and remove the root causes of conflicts so that both the symptoms and the causes of the problem can be addressed.

Secondly, the role of Governments should be given its place in the protection of civilians and should be respected. The Charter of the United Nations, international humanitarian law and resolutions of the Security Council and the General Assembly all require that Governments bear the primary responsibility for the protection of civilians. The international community and external players have a role to play in resolving crises by providing help and support. But external assistance should be provided with the prerequisite that the will of the Government concerned must be respected and its sovereignty and territorial integrity preserved, and that no arbitrary intervention should be imposed on the Government concerned over its objection.

Thirdly, the concept of the responsibility to protect should be understood and applied correctly. The 2005 World Summit Outcome (General Assembly resolution 60/1) devoted a large section to comprehensively setting out the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, and requested the General Assembly to continue its consideration and enrichment of the concept. At present, there are still differing understandings and interpretations of this concept among Member States. The Security Council should therefore refrain from invoking the concept of the responsibility to protect. Still less should that concept be misused. The Security Council should respect and support the General Assembly in continuing to discuss the concept in order to reach broad consensus.

Fourthly, the effectiveness and credibility of humanitarian relief efforts should be improved. The parties concerned should collaborate in compliance with international humanitarian law. Humanitarian relief efforts are indispensable for minimizing losses and helping civilians overcome difficulty in the aftermath of a crisis. Over the years, humanitarian relief agencies have done a great deal of work in dangerous circumstances to provide relief to civilians in distress. They deserve our appreciation and acknowledgement. But even though the causes of conflicts are complex and sensitive, humanitarian relief efforts should strictly abide by the principle of fairness, neutrality, objectivity and independence, thereby safeguarding the humanitarian nature and credibility of the activities.

Mr. Burian (Slovakia): First of all, I wish to express the gratitude of my delegation to Mr. Holmes for his valuable briefing and to the Belgian presidency for organizing this important open debate on the protection of civilians in armed conflict. My delegation fully aligns itself with the statement that will be delivered later this morning by the representative of Germany on behalf of the European Union. Therefore, I will limit myself to a few additional remarks.

Today's briefing of Mr. Holmes, as well as the observations of the most recent Security Council mission to the Sudan, Côte d'Ivoire and the Democratic Republic of the Congo and daily news reports from the Middle East and other places confirm the continued occurrence of gross violations of humanitarian law and human rights, including deliberate attacks against civilians, sexual violence used often as a weapon of war, abductions, recruitment of child combatants and other forms of grave violations, perpetrated by State and non-State actors.

We believe that the international community must do much more to protect the most vulnerable in armed conflicts. There can be no excuse for inaction when thousands of civilians are dying every week as a result of armed conflict. It is clear that despite the existing legal framework for the protection of civilians in armed conflict, which was further strengthened last year by the adoption of resolution 1674 (2006), serious gaps remain in the practical implementation of agreed norms and principles, including the responsibility to protect. We welcome and support the intention of the Secretary-General to initiate a discussion among United Nations Members on how to translate that core principle of humanity and human solidarity, which our leaders endorsed at the 2005 World Summit, into concrete action on a global, regional and national level.

In that respect, we were encouraged during last week's discussions between the Security Council and the Peace and Security Council of the African Union in Addis Ababa and Accra by the level of commitment on the part of the African Union to deal with the issue of protecting civilians in armed conflict through greater involvement in peacekeeping and mediation efforts in various crisis situations on the continent.

We believe that the partnership, consultations and dialogue between the United Nations and regional organizations on these issues should be further strengthened and expanded, in line with the joint communiqué of the United Nations Security Council and the African Union Peace and Security Council. Through joint action, we must find more efficient ways to deal with humanitarian crises such as that in Darfur, where civilians continue to suffer and die every day.

With respect to Darfur, which is the site of one of the world's most grave crises and humanitarian situations, Slovakia welcomes the recent agreement that will, we hope, lead both to rapid and successful deployment of the African Union-United Nations hybrid operation in Darfur and to improved protection of civilians in the region from violations of human rights and humanitarian law. In that regard, we call upon the Government of the Sudan to facilitate deployment of the hybrid peacekeeping force and to allow the monitoring and investigation of crimes, including active cooperation with the International Criminal Court. In addition, we hope that the recent discussion between the United Nations Security Council and the African Union Peace and Security Council will contribute to closer cooperation and interaction between the United Nations and the African Union in addressing the increased humanitarian suffering of civilians in the Central African Republic, eastern Chad and Somalia, as well as the consequences of criminal activities by the Lord's Resistance Army in the Great Lakes region.

However, we must not forget about people in other parts of the world, such as the Middle East and Afghanistan, where the numbers of attacks on innocent civilians — employing the most vicious killing tactics and terrorist acts, including the use of chlorine — are increasing day by day. We agree with Mr. Holmes that that trend is profoundly worrying. It must be addressed through effective action by all regional and global stakeholders in order to contain it.

We are concerned about the level of impunity with respect to grave violations of humanitarian law and atrocities committed against civilians in armed conflicts. I would like to underline that we are especially concerned about the direct involvement of Government military and security forces and institutions in such criminal activities.

In that regard, Slovakia stresses the need for strict application of a zero-tolerance policy with respect to war crimes and crimes against humanity. Impunity for such crimes is unacceptable, and we must make sure that the perpetrators of criminal acts are brought to justice. In situations where national judicial authorities — who have the primary responsibility for bringing the perpetrators of crimes to justice — are not fully capable or, in some cases, unwilling to address violations of international humanitarian law, Slovakia will continue to support active engagement by the international community, including through international and "mixed" tribunals, the International Criminal Court and, when necessary, applicable targeted measures by the Council in ensuring respect for humanitarian and human rights law.

We are also concerned about the increasing number of deliberate attacks against United Nations agencies, non-governmental organizations and other humanitarian workers providing assistance to civilian populations, as well as attacks against media personnel. In that respect, we strongly condemn acts such as the recent killing of a staff member of Médecins Sans Frontières in the Central African Republic and of two Lebanese Red Cross workers at a Palestinian refugee camp in northern Lebanon, the brutal killing of a Radio Okapi national reporter in the Democratic Republic of the Congo and attacks against humanitarian personnel and piracy threatening relief deliveries to Somalia.

We support all necessary steps and actions by the international community to protect humanitarian personnel, to establish safe corridors allowing for full and unhindered humanitarian access and to provide basic security for the work of the media, including through full implementation of last year's Security Council resolutions 1674 (2006) and 1738 (2006).

Finally, I would like to take this opportunity to thank and pay tribute to all humanitarian organizations for their relentless efforts and to express our sympathy to the families of those who made the ultimate sacrifice for the cause of peace and humanitarian relief.

Ms. Pierce (United Kingdom): I wish to align myself with the statement to be made later this morning by the presidency of the European Union.

I would like to thank the Under-Secretary-General for his thought-provoking presentation. It is not acceptable that even now, in the twenty-first century, violent conflict impacts most severely on the civilian population. Helping to ensure the protection of civilians during armed conflict is central to the work of the Council.

In that connection, let me say that we regret the deaths of civilians that have resulted from operations by international forces in Iraq and Afghanistan and elsewhere. Any civilian casualty is one too many. We recognize that it is incumbent on those forces to continue to do everything they can to avoid any civilian casualties, and we remain committed to that.

At the same time, it is important that we all distinguish between these unintended deaths and those resulting from the deliberate and callous targeting of civilians by insurgents and others. The issue is quite simple: we seek to avoid civilian deaths, whereas the insurgents seek to cause them. That goes to the heart of why we are dealing with conflicts in the first place.

Many challenges face us on the ground in such situations. Civilians continue to be deliberately targeted by insurgents, terrorists and others. In many areas of conflict, sexual and gender-based violence is still widespread. The abhorrent practice of using rape as a weapon of war continues. Millions of civilians are or remain displaced from their homes every year, left to lead a fragile and vulnerable existence. We have also heard too many stories over the past few weeks in which humanitarian workers, journalists and others have been attacked, kidnapped or murdered.

All of those things are unacceptable. It cannot be right that civilians continue to bear the brunt of violent conflict. They account for the greatest number of casualties. The most vulnerable — women, older people and children — are hit particularly hard. Let me cite some examples. In Burma, ongoing military campaigns against the insurgents have meant that civilians in conflict areas have suffered the repercussions. In Sri Lanka, the escalation in conflict has brought a high human cost. We remain concerned about the fragile state of security in Somalia and the impact that terrorist violence is having on civilians there.

The United Kingdom has also said many times in this Chamber that the terrible suffering of the people in Darfur has gone on for far too long. We welcome the agreement of the Government of Sudan to a hybrid force. At the same time, we draw attention to the deteriorating security situation in Darfur. We are concerned that humanitarian agencies may be forced to pull out unless there are safety guarantees and unless those responsible for attacks are held to account. We call on the Government of the Sudan to continue to remove bureaucratic impediments to the operations of humanitarian agencies.

The United Kingdom is also deeply concerned about the humanitarian situation in the Gaza Strip. The recent violence, as has been stated in this Chamber, has had tragic consequences. The United Kingdom fully supports the statement by the Quartet and efforts to meet the humanitarian needs of the Palestinians. In that regard, we welcome Israel's decision to facilitate humanitarian access and to ensure the provision of basic services.

In conflict situations, all parties must do their utmost to ensure full, safe and unimpeded access to humanitarian and relief agencies. Let me place on record my country's appreciation of and respect for those national and international staff who are prepared to work in the most difficult conditions in order to provide humanitarian relief. I welcome the Saving Lives Together initiative, which aims to improve security arrangements in the field.

It is easy to identify the challenges but much harder to identify what more we can do to try to address them. We should continue to hear the Under-Secretary-General's briefings on protection and country issues. This gives us an opportunity to draw attention to the actions of the worst offenders and to support those who are making progress.

We should strengthen respect for, and enforcement of, international law. We should work towards ending impunity by ensuring that there are no hiding places for the perpetrators of the most egregious crimes. The United Kingdom highlights the important role of the International Criminal Court in that regard and underlines that States with an obligation to cooperate with the Court should do so.

The Council can also continue to ensure that, where appropriate, United Nations peacekeeping forces are given the mandate and support that they need to

protect civilians from violence. We have made gradual progress on this front — for example, we welcome the robust action taken by the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) against armed militia that threatened the local population — but more should be done. We can all think back to the time in Bosnia when United Nations forces were not able to protect the population, and we can regret that; but we can help make sure that such an event never happens again by ensuring that all United Nations-mandated forces have the most robust mandate possible. What the Under-Secretary-General said about the need for evaluation of the impact of protection language in peacekeeping mandates is something that we find very interesting and would like to explore further.

Protection concerns, therefore, should be reflected more systematically in peacekeeping mandates. We should encourage and facilitate a closer working relationship between the Office for the Coordination of Humanitarian Affairs (OCHA) and the Department of Peacekeeping Operations (DPKO) on this agenda. We should also continue to work towards better reporting to highlight abuses. In that regard, we very much welcome the Under-Secretary-General's proposal to monitor and report on access issues.

While national Governments have the primary responsibility to protect their citizens, the international community also has responsibilities. We should live up to them.

Mr. Tachie-Menson (Ghana): First of all, let me join members in thanking the Under-Secretary-General for Humanitarian Affairs, Mr. John Holmes, for his comprehensive briefing.

The question of the treatment of civilians in conflict situations is as old as civilization itself. However, in recent times, the proliferation of brutal conflicts in various parts of the world has focussed the attention of the international community on this problem.

It is clear that the primary responsibility for the protection of civilians lies with States and Governments. That fact was recognized in General Assembly resolution 46/182 of 1991. The 2005 World Summit Outcome Document also affirmed that principle in its paragraphs 138 and 139, which emphasize the responsibility of the United Nations to use appropriate diplomatic and other peaceful means to protect populations at risk, and, failing that, to take collective action under Chapters VI and VII of the Charter to protect civilian populations from genocide, war crimes, ethnic cleansing and crimes against humanity. That was also stressed by resolution 1674 (2006).

It is therefore undeniable that the international community has the legal and institutional tools to deal with this issue. The challenge for us now is how to translate the mechanisms at our disposal into effective practical systems for the protection of civilians. The problem of the protection of civilians in armed conflict will have to be considered within the context of the following factors: first, prevention of conflicts; secondly, observance and implementation of the rules of international humanitarian law; thirdly, peacekeeping and humanitarian assistance; and, fourthly, post-conflict peacebuilding and reconciliation.

With respect to the first point, it is only logical that, in order to stop the abuse of civilians, we should go to the root of the problem, removing, through conflict prevention, the conditions that breed conflicts in the first place.

In that regard, we are guided by the Secretary-General's report of April 1998 on "The causes of conflict and the promotion of durable peace and sustainable development in Africa", which identified the promotion of human security and human development as the basis of conflict prevention.

That raises issues related to governance, economic management and the rule of law. As stressed by resolution .674 (2006), there is a need for a coordinated, comprehensive approach on the promotion of economic growth, poverty eradication and sustainable development in vulnerable areas and regions by the United Nations and its agencies. This also calls for cooperation with regional and subregional organizations and non-governmental organizations (NGOs).

An important aspect of conflict prevention which is often overlooked is an early-warning system. This can operate at two levels: first, to warn of tensions in the community that can trigger conflict; and, secondly, to alert the international community to situations that might lead to an escalation of violence against civilians and result in a humanitarian crisis.

The Peace and Security Council established under the African Union Constitutive Act, which is a collective security and early-warning arrangement, is an example of this. The Economic Community of West African States (ECOWAS) early-warning system is also a step in the right direction.

On the question of the observance and implementation of the rules of international humanitarian law, the responsibility lies with the relevant States and combatants. The international community as a whole and regional and subregional organizations, in concert with NGOs, have a role to play in sensitizing the various factions to the need for observance of these rules and in exerting sustained pressure to ensure compliance.

When States and combatants prove unwilling or unable to act, the international community has a moral and legal duty to intervene to avert a humanitarian catastrophe.

Peacekeeping and humanitarian assistance are two important tools currently used by the international community to keep conflicts in check and reduce the scale of human suffering. These two tools, while distinct, are mutually supportive and complementary. To enable peacekeeping and humanitarian assistance to work effectively, it is necessary for peacekeeping missions to be reconfigured through the adoption of robust mandates to ensure not only the physical protection of civilians but also the facilitation of humanitarian assistance. Since the practical and moral underpinnings of peacekeeping operations are imperilled if the local population cannot be protected, the protection of civilians should be part of the core mandate of peacekeeping operations. That requires additional resources. However, this is the most cost-effective way to prevent a humanitarian disaster, which would absorb even more resources.

On the fourth point, concerning post-conflict peacebuilding and reconciliation, it is important that the international community make available the necessary resources, which would facilitate not only economic reconstruction but also the building of political and judicial institutions that will ensure the rule of law and enable the individual to live in peace and security. In that regard, the importance of disarmament, demobilization and reintegration is very clear. Reconciliation and the bringing to justice of those guilty of the most serious crimes should also form part of the nation-building and healing process.

In that context, we are happy to note that the International Criminal Court (ICC), which has become fully operational, can play an effective deterrent role in the promotion of the international legal framework for the protection of civilians in armed conflict. The referral of the Darfur situation by the Security Council to the ICC is an important test case in this regard.

Finally, we call on the international community to muster the necessary political will to put in practice the measures necessary for the protection of civilians in armed conflict, as I have outlined.

Ms. Qwabe (South Africa): South Africa joins others in thanking you, Mr. President, for having convened this open debate on the protection of civilians in armed conflict, and we would like to commend the Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. John Holmes, for his briefing.

Despite positive political developments in achieving peace in many conflict areas, our world continues to be ravaged by violent armed conflicts that claim the lives of thousands of civilians and leave even more permanently displaced. The deliberate targeting of civilians in armed conflicts, together with the indiscriminate use of force, gender-based violence, forced displacement and the lack of safety and access of humanitarian personnel all have a detrimental effect on civilians.

We are therefore of the view that finding a common solution for the protection of civilians would need the cooperation of each Member State and all parties involved in a conflict. We recognize the need for a coherent, comprehensive and coordinated approach by the principal organs of the United Nations, cooperating with one another and within their respective mandates when dealing with the issue of the protection of civilians. General Assembly resolution 46/182, amongst others, highlights the important value that humanitarian assistance should be assigned in accordance with the principles of humanity, neutrality and impartiality and, consequently, that assistance should not be given on the basis of geopolitical considerations.

We should therefore avoid the politicization of humanitarian assistance and, in that context, we urge

the international community not to ignore the occupied Palestinian territory in Gaza. Just yesterday, Mr. David Shearer, the head of the Office for the Coordination of Humanitarian Affairs (OCHA) in the occupied Palestinian territory, told reporters at the United Nations that the humanitarian situation in the Gaza Strip could worsen unless Israel eases the restrictions and closures at its border crossings with the area. South Africa supports the call by OCHA for the reopening of Karni crossing, the main commercial crossing point into Gaza.

It will be recalled that, during its presidency of the Council in March 2007, South Africa convened an open debate on greater cooperation and coordination between regional organizations and the Security Council, in particular the African Union. We believe that the protection of civilians and humanitarian assistance would be better addressed in partnership with regional mechanisms and that strengthening dialogue and cooperation between the Security Council and regional organizations would contribute to tackling common security challenges. Furthermore, the role of regional organizations should be strengthened to allow them to act more effectively when future conflicts may arise, as they are closer to the area of concern and can thus, in principle, act more speedily.

As stipulated in Security Council resolution 1265 (1999) on the protection of civilians in armed conflict, the Council has expressed its willingness to consider how peacekeeping mandates might better address the negative impact of conflict on civilians. We are therefore pleased to note that United Nations peacekeeping mandates now include the specific protection needs of women and children, including those of humanitarian personnel, due to the Council's adoption of landmark resolutions 1325 (2000) on women, peace and security; 1612 (2005) on children and armed conflict; and 1502 (2003) on the protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones.

In conclusion, the four resolutions the Security Council has adopted on the protection of civilians in armed conflict have established a good framework for the international community to actively and collectively address the challenges of protecting civilians in armed conflict. Those resolutions reaffirmed the importance of preventing armed conflict and its recurrence, while stressing the need for a comprehensive approach through the promotion of economic growth, poverty eradication, sustainable development, national reconciliation, good governance, democracy, the rule of law, and respect for and protection of human rights.

In addressing violations of international humanitarian law, South Africa supports the work of the International Criminal Court and the various international tribunals, and believes that all perpetrators, regardless of nationality and geopolitical status, should be properly and fairly tried. It is therefore hoped that the challenges of protecting civilians in armed conflict will be addressed in a way that will increase respect for the principles of international humanitarian, human rights and refugee law, human dignity and the legitimacy of the United Nations.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We are grateful to Mr. Holmes for the updated information he has provided on the status of protection of civilians in armed conflict. Not a day goes by that we are not made aware of new instances of killing, torture, cruelty and other forms of violence against civilians in armed conflict.

In recent years, we have focused particular attention on the humanitarian situation in Darfur. However, at present, and due to a large extent to the ongoing and painstaking efforts of the United Nations and the African Union, we have noted genuine prospects for an intensification of the political process, a consolidation of the Darfur peace agreement, and a strengthening of the peacekeeping presence in Darfur. That gives hope that the threat of violence will cease to loom over that region of the Sudan.

Unfortunately, such positive momentum is not yet in evidence in Iraq. Reports of mass casualties have become commonplace. The international community would not yet seem to have grasped the scope of the humanitarian tragedy unfolding in Iraq in the course of the conflict, which has already become among the bloodiest of the past 50 years.

Today, we cannot ignore the many years of suffering endured by civilians in the Israeli-Palestinian conflict. The wounds inflicted on Lebanon in the summer of 2006 have yet to heal, and civilian casualties number in the many hundreds.

The number of civilian casualties in Afghanistan is growing. We understand the alarm of the Afghan

Government in reaction to each death among its peaceful citizens.

While responsibility for the protection of civilians falls first and foremost on the Governments of States where conflict is occurring, we believe that such responsibility should also be kept in mind by other parties that might be drawn into various conflict situations.

We are especially aggrieved by the deaths of and injury to children. Just the other day, seven children were killed in the Zargun Shah district of Afghanistan. The Secretary-General, his Special Representative Ms. Coomaraswamy, and the United Nations Children's Fund reacted in a timely fashion. Such events should fall within the purview of the Council's Working Group on Children and Armed Conflict.

Attention must be paid to gender-based violence. The United Nations must react expeditiously to instances of violence against peaceful civilians and the destruction of civilian sites in armed conflict. This is a most topical issue given that, in many current conflicts, civilian deaths and the destruction of civilian infrastructure are often the result of premeditated actions or of insufficient attention to preventing civilian casualties. We therefore need to strive for strict compliance by all parties with the norms of international humanitarian law and the relevant decisions of the Council.

Conflicts often lead to massive displacements of people within or outside a country. According to data from the Office of the United Nations High Commissioner for Refugees, for the first time in the past five years the number of refugees in the world has increased, rising to almost 10 million. The main cause of that rise is the violence in Iraq, from which approximately 1.5 million people have had to flee, while some sources put that figure at 2.2 million. The need for emergency measures in that context was expressed at the conclusion of the International Conference on Addressing the Humanitarian Needs of Refugees and Internally Displaced Persons inside Iraq and in Neighbouring Countries, held in April in Geneva. Afghanistan remains the point of origin of the largest number of refugees, now numbering some 2.1 million.

In recent years, along with the status of refugees, growing attention has been paid to the internally displaced person (IDP), whose status is not regulated by international law. Unlike refugees, IDPs legally continue to be protected by their States. Upon the request of the State, they may be provided assistance by the Office of the United Nations High Commissioner for Refugees (UNHCR) and other international organizations.

The issue of IDPs is often linked to the concept of the responsibility to protect, which, we believe, must be interpreted in strict compliance with the 2005 Summit Outcome. We would recall that heads of State throughout the world agreed to help to protect people from genocide, war crimes, ethnic cleansing and crimes against humanity, with the understanding that this concept and its implications would be considered by the General Assembly on the basis of the principles of the Charter and international law.

Humanitarian work is a component of a crisis-settlement strategy and post-conflict reconstruction and requires systemic measures at the international, regional and national levels. The Security Council is fully justified in paying greater attention to the protection of civilians as part of its responsibility to maintain international peace and security.

The President (*spoke in French*): I shall now make a brief statement in my capacity as the representative of Belgium.

As other colleagues have done, I would first like to thank Mr. Holmes for his statement, which illustrated great commitment and spoke to us all.

Belgium would also like to associate itself with the statement to be delivered shortly by our German colleague on behalf of the members of the European Union.

In his briefing, the Under-Secretary-General clearly illustrated that there is still a huge gap between the diplomatic conception of the protection of civilians, on the one hand, and reality on the ground, on the other. In order to bridge that gap, Belgium favours a more concrete, predictable and systematic approach based on the provisions of resolution 1674 (2006) that could provide a better mechanism to enable the Council to carry out an effective policy in the area of both prevention and recovery. It is clear that the Secretariat has a clear role to play. We support all of its efforts and urge it to continue to utilize all means available to it to that end.

Belgium would also like to emphasize that it is above all States themselves that must assume the responsibility to protect civilians in situations of armed conflict. If they do not have the capacity or the will to guarantee adequate protection, then the international community has the responsibility — and even the duty — to respond.

Like Mr. Holmes, Belgium condemns in the strongest terms the refusal to grant access to humanitarian workers in conflict situations. He pointed out that there have been several conflicts on the Council's agenda in which such access has been denied. We have also seen numerous instances of the use of humanitarian assistance for political purposes, which is unacceptable. The Council must use all of its influence in order to guarantee total access in full security for humanitarian staff.

Among the aspects of resolution 1674 (2006), Belgium attaches particular importance to the fight against violence, especially sexual violence against women and minor children. We have noted how such acts of violence become true instruments of war in a number of conflict situations. It is imperative not only to eradicate such practices but also to prevent them.

As the Under-Secretary-General has emphasized, combating impunity is one component of protecting civilians in armed conflict. In that connection, there are a number of legal and reconciliation mechanisms in place at the regional, national and international levels — chief among them the International Criminal Court — that can contribute to ensuring that justice is done. Their effective functioning is clearly a deterrent to those who intend to violate the rights of civilians in armed conflicts.

I would like to assure Mr. Holmes of Belgium's full support in the immense task he has before him.

I now resume my functions as President of the Council.

I give the floor to the representative of Guatemala.

Mr. Briz Gutiérrez (Guatemala) (*spoke in Spanish*): I would first like to thank you, Mr. President, for following the usual practice of holding two thematic debates annually on the protection of civilians in armed conflict. Allow me also to thank Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, for his timely remarks at the beginning of this debate.

Despite the time that has passed since the 1899 and 1907 Hague Conventions — 100 years to date — and the August 1949 Geneva Convention, we continue to have to reiterate our concern at the scarce progress made on the ground with regard to providing effective protection for civilians in armed conflict and the urgent need to provide better physical protection to displaced populations and other vulnerable groups at greater risk — such as women and children, humanitarian workers, United Nations staff, journalists and those whose work places them at risk.

In that connection, we regret the recent deaths in Iraq, the Democratic Republic of the Congo, Sri Lanka, Darfur and Lebanon. We reiterate our condemnation of terrorist attacks against communities, in which no distinction is made between the civilian population and the warring factions. We also condemn all other attacks that have forced the internal displacement of entire communities or caused them to seek refuge in neighbouring countries.

We believe that the holding of open debates on this subject, the statements that are sometimes issued following the debates and the adoption of resolutions, such as resolutions 1674 (2006) and 1738 (2006), among others, represent positive progress in our effort to identify a common understanding as to the best way to jointly confront the challenges repeatedly brought to our attention in the reports of the Secretary-General, reports, incidentally, which are useful tools for gaining a better understanding of the complexities of this issue.

Over the decades, we have together, through the United Nations, been able to address numerous difficult and complex conflicts whose solution has required the adoption of fundamentally important decisions. However, there remains much for us to do before we can achieve comprehensive approaches that will help us to prevent conflicts or their recurrence — approaches in which genuine coherence, coordination and complementarity between the main bodies of the Organization are evident. In that connection, we fully agree with the Emergency Relief Coordinator as to the need to make greater investments in the area of prevention.

For as long as we fail to improve that interaction — whenever a new armed conflict breaks out or when we fail to protect civilians or to ensure the

deployment of humanitarian staff to lend assistance to people trapped in a conflict — every life lost and every case of genocide or ethnic cleansing will remind us that we have yet to achieve the noble ideals upon which the Organization was founded.

Our own experience in Guatemala teaches us that this is no easy task. Despite the progress we have made and the set of peace agreements aimed at establishing a solid foundation for economic growth with fairness, respect and protection for human rights and greater participation for women and indigenous peoples, we nevertheless continue to endeavour to establish, broaden and strengthen institutions, opportunities and guarantees that will bolster national reconciliation, the rule of law and the end of a culture of impunity which has especially affected women and girls.

This difficult experience has enabled us to understand the importance of the just application of the provisions of resolution 1674 (2006), particularly those relevant to the incorporation of the protection of identified vulnerable groups in the planning for peacekeeping missions and other relevant United Nations missions in order to minimize the inherent traumatic impact of any conflict. To this end, we also support the Coordinator's suggestion with regard to assessing the various peacekeeping mandates that already include the protection of civilians and to draw the appropriate lessons from them.

Likewise, we feel that the aide-memoire on the protection of civilians adopted by the Security Council as an annex to presidential statement S/PRST/2002/6, updated by OCHA in 2003 (see S/PRST/2003/27), has been a useful diagnostic tool for assessing the priorities that should be taken into account when establishing, ending or changing mandates for peacekeeping operations. We feel that it could benefit from periodic review and updating in order to better reflect the concerns, trends and measures that must be taken into account for the protection of civilians and the implementation of programmes related to this topic.

We await the Secretary-General's next report, to be submitted in October. We are confident that it will provide up-to-date information and describe recent experiences in peacekeeping operations and in the innovative work in the area of peacebuilding. We are confident that its content will lead to an interesting debate on new approaches to the implementation of programmes on the ground, which will allow us to meet fully our responsibility to protect.

Finally, we would like to end our statement by congratulating the Special Court for Sierra Leone on the conviction of three leaders of the Revolutionary Armed Forces, who were found guilty of 11 crimes considered crimes against humanity, including the recruitment and use of child soldiers. This is the first time that an international tribunal has handed down a verdict on the recruitment of children; it also constitutes a strong message in the struggle against impunity and for the defence of the civilian population.

The President (*spoke in French*): I now give the floor to the representative of Japan.

Mr. Oshima (Japan): Japan is pleased that the Security Council continues to give close attention, as it should, to the plight of civilians in armed conflict. We therefore welcome today's open debate and thank Under-Secretary-General John Holmes for his briefing on the progress that has been made. We commend the Office for the Coordination of Humanitarian Affairs (OCHA) for playing the leading role in this area.

Indeed, real and concrete progress has in fact been made towards the goal of protecting innocent civilians. The Security Council has adopted a number of normative instruments, including resolution 1674 (2006). With regard to the issue of the protection of journalists in conflict, which was raised in the open debate last December (see S/PV.5577), we welcome the unanimous adoption of resolution 1738 (2006).

For Japan, the protection of civilians is a high priority, as we believe it is essential to human security. The United Nations Trust Fund for Human Security, which is administered by OCHA and to which my Government has made substantial contributions, has accordingly taken great interest in projects that address issues such as conflict prevention, post-conflict peacebuilding, landmines, internally displaced persons (IDPs) and refugees, giving support to more than 50 projects over the years. For example, the Trust Fund has assisted in promoting recovery and sustainable livelihoods for that part of the Sri Lankan population which has been affected by internal conflict. Most recently, on 29 May, the Government of Japan and the United Nations decided to extend assistance through the Trust Fund for Human Security to a project that aims at the protection, reintegration and resettlement of IDPs in Somalia. The Central Emergency Response

Fund has also helped to ensure a predictable flow of financing for efforts to protect civilians in neglected crises; we all welcome these efforts.

Today I would like to touch upon four aspects of the subject of protection of civilians. Allow me to start with the Security Council, which we commend for the significant progress it has made in this area. Specifically, the Working Group on children and armed conflict has effected improvements in the situation of children in armed conflict through the monitoring and reporting mechanism which the Council established in resolution 1612 (2005).

At the same time, we are deeply troubled by the large number of civilians affected by conflict — in Iraq, Afghanistan, Darfur, Somalia and other embattled parts of the world — who continue to be in desperate need of protection and assistance. We deplore the fact that civilians have with increasing frequency become the primary targets of violence, even as we have witnessed a steady decline in the number of conflicts over the past few years. We also condemn the harassment, intimidation and murder of humanitarian workers operating in crises and emergencies around the world.

But condemnation is not enough. World leaders formally acknowledged the responsibility to protect populations at the 2005 World Summit, and it was reaffirmed by the Security Council in its resolution 1674 (2006). Yet, these words have not adequately been translated into action. We need to discuss in this body what other concrete measures the United Nations and the Security Council can take.

One such measure is the aide-memoire adopted by the Council in 2002 (S/PRST/2002/6, annex) as a tool to bridge the normative instruments this Council develops and concrete action on the ground. In particular, it has proven useful in the process of formulating a peacekeeping mandate. This useful tool should not be shelved; rather, it should continue to be put to good use. And to be useful, it should be reviewed and updated from time to time.

Proper monitoring in order to provide early warning is another mechanism in place that contributes to the protection of civilians. Also, timely briefings from the officials responsible, including the Emergency Relief Coordinator and the United Nations High Commissioners for Refugees and for Human Rights, should, therefore, be provided.

Secondly, we need to strengthen our efforts to protect IDPs. We support the recommendation of the High-level Panel on System-wide Coherence that the humanitarian agencies should clarify their mandates and enhance cooperation in this area. We also welcome the start of informal consultations on humanitarian issues this week. Japan for its part intends to participate constructively in the discussion on this subject in whichever forums it takes place, including OCHA and the Executive Committee of the Office of the United Nations High Commissioner for Refugees.

Third is the question of ending impunity. The question of how to strike the proper balance between national reconciliation and punishment of those who have done wrong, and also between peace and justice, needs to be considered further. There can be no doubt, however, that establishing the rule of law contributes greatly to durable peace and to stability. Accordingly, Japan has been taking initiatives in this field. It has actively supported the Khmer Rouge Tribunal in Cambodia, for example, and it welcomes the recent important progress made that brings the commencement of the trial closer. Japan hopes that the trial will proceed smoothly and with all due speed. To that end, it is vital that the United Nations and Member States continue to support Cambodia.

With regard to the International Criminal Court (ICC), Japan has completed the necessary legislative procedures so that it may participate in the ICC, and my country plans to join the Court formally by the fall of this year. In doing so, our hope will be that we can contribute further to the prevention and even eradication of many serious crimes and to strengthening the rule of law and the maintenance of peace and security.

Fourthly and lastly, I would like to underline the importance of regional initiatives to ensure the implementation of normative frameworks and principles relating to the protection of civilians. It is clear that the involvement of relevant regional organizations is desirable and beneficial.

Accordingly, we welcome the regional conference organized by OCHA in April in Dakar. We hope to be able to work with OCHA to hold a similar conference in Asia at an appropriate time.

In conclusion, all of the efforts of the international community for the protection of civilian must ultimately be judged by the number of people

actually protected and saved. Any concrete action that contributes to that ultimate objective should be pursued, including removing anti-personnel mines, ensuring the timely and sufficient delivery of food and medical support to people in distress, exercising maximum care to avoid civilian casualties in counter-insurgency operations and making political efforts to end or contain conflicts. We are also concerned about the humanitarian toll that can result from unexploded cluster munitions. According priority to the framework of the Convention on Certain Conventional Weapons, Japan will continue to constructively participate in the discussion on this problem in various international forums.

The protection of civilians must be the concern of all Member States, and the Security Council should therefore continue to act to provide the necessary leadership and to monitor developments closely. I assure you, Mr. President, that Japan will do its part.

The President (*spoke in French*): I give the floor to the representative of Argentina.

Mr. Argüello (Argentina) (*spoke in Spanish*): At the outset, the Argentine delegation would like to thank you, Mr. President, for having convened this open debate on the protection of civilians in armed conflict. We would also like to express our appreciation Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, for his briefing, to which we listened very carefully.

Argentina attaches great importance to the question of the protection of civilians in armed conflicts. We had the honour of being a member of the Security Council when resolutions 1265 (1999), 1296 (2000) and 1674 (2006) were negotiated and adopted. Today, those resolutions constitute the legal regime in that area. We understand that the effectiveness of the Security Council in strengthening the protection of civilians is one of the key areas in which international public opinion evaluates the contribution of the Council to the maintenance of international peace and security.

As Mr. Holmes's predecessor pointed out, the responsibility to protect civilians in conflict is a central principle of humanity, which must be depoliticized and transformed into joint action on the part of Security Council members and international organizations.

The fact that, as regular Council assessments have made clear, atrocities against civilians are continuing leads us to consider the possibility of adopting, in the case of certain conflicts, the measures currently envisaged to deal with situations in which States involved in conflict lack the political will or the capacity to take effective action to protect civilians affected by the crisis.

No national security considerations can prevail over the obligation of States and other parties to a conflict to comply with humanitarian law. Argentina appreciates the work of the Office for the Coordination of Humanitarian Affairs (OCHA) and United Nations agencies regarding the protection of civilians, including in the area of refugees and internally displaced persons, as well as with respect to women, children and other vulnerable groups, in the context of armed conflict.

My country emphatically condemns attacks against humanitarian personnel and would like to express sincere condolences to the families and friends of those who have so generously sacrificed their lives while assisting people caught up in humanitarian emergencies.

The responsibility of States to protect humanitarian personnel and provide them with full, unimpeded access to the civilian populations affected is clearly established in current law and cannot be denied under any circumstances.

Several years ago, the Security Council included on its agenda the question of the protection of civilians, and it has been establishing a legal regime in that area. In that regard it has had at its disposal such tools as the road map (see S/2001/614), the aide-memoire (S/PRST/2002/6, annex) and the ten-point platform (see S/PV.4877). Furthermore, it has benefited from valuable suggestions for improving the information mechanism for the protection of civilians.

It is now up to us to fully apply that framework. Resolution 1674 (2006) must be implemented and developed. The submission in October of the report of the Secretary-General on the protection of civilians provides OCHA with an opportunity to undertake a detailed assessment of the international situation in that area and to propose new ideas and approaches, as well as specific actions to be taken, including on issues regarding access by humanitarian personnel to populations affected by conflict and the security of

journalists, other media professionals and associated personnel.

In conclusion, we would like to express to Mr. Holmes our gratitude and our best wishes as he carries out his tasks, as well as our commitment to continue supporting OCHA in this and other United Nations bodies.

The President (*spoke in French*): I give the floor to the representative of Mexico.

Mr. Heller (Mexico) (*spoke in Spanish*): The delegation of Mexico would like to express its appreciation for the timely organization of this open debate on the protection of civilians in armed conflict, given the increasing number of civilian casualties in various regions of the world as a result of either collateral damage or deliberate military targeting by groups or other actors in conflict.

As we hold this debate, hundreds of civilians are dying in conflicts as diverse as those in Afghanistan, the Democratic Republic of Congo, the Gaza Strip, Iraq, Somalia and the Sudan — to mention just a few of the most obvious examples widely covered by the mass media.

In the context of such countless human losses, it is the most vulnerable groups, including women and children, who suffer the effects of armed conflicts. Gender-based violence continues to be an issue of particular concern, as is the fact that women are victims of sexual abuse and that a large percentage of the children recruited by militias are girls, who are also victims of violence and forced labour.

Impunity prevails for those responsible for the many atrocities committed against the civilian population in the vast majority of armed conflicts, given that all too frequently the perpetrators are never brought to justice.

Not only does our Organization have a moral responsibility to eradicate such practices, but, over the past few years, it has also given itself the necessary tools to do so. It is vital that the organized international community send a clear message that it will not tolerate disregard of the basic norms of international humanitarian law or of human rights. My delegation therefore believes that a comprehensive strategy should be put in place to address the most important aspects so as to ensure the protection of civilians in armed conflict, on the basis of the following principles.

First, there must be respect for humanitarian law. It is imperative that the Security Council and the relevant regional organizations require the parties to conflict to abide by the Geneva Conventions and their Protocols, in particular the provisions of common article 3, which already constitute customary law.

Secondly, with regard to strengthening the rule of law and the fight against impunity, the creation of the International Criminal Court represents an unprecedented development because it complements the efforts of national jurisdictions to bring to justice those who commit crimes against humanity. The Court's success is intrinsically linked to the need to prevent the recurrence of deliberate attacks against civilian populations and to prevent that practice in other conflicts. The strengthening of the Court has been reflected in the increasing number of cases under its consideration. We encourage the Security Council to appeal to the Court whenever the particular conditions of a conflict so justify.

Thirdly, with regard to the protection of humanitarian personnel, violence against humanitarian personnel constitutes a war crime and directly affects civilians as it deprives them of the necessary assistance for their survival and consequently increases their suffering. In that regard, it is imperative that the Council ensure that deliberate attacks against humanitarian personnel in the field do not go unpunished and that all parties to a conflict guarantee the safe and unhindered access of humanitarian personnel to affected civilian populations.

Fourthly, concerning the strengthening of coordination and clear mandates, we must encourage broader coordination within the United Nations between the Department for Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs, and between those parts of the Secretariat and regional organizations, in order to make the protection of civilians in armed conflict a central objective of the respective mandates. That also requires the provision of the necessary resources and staff appropriately trained to respond to the needs on the ground. In the same way, the provisions of resolutions 1325 (2000) and 1502 (2003), on women, peace and security and on the protection of humanitarian personnel, respectively, must be systematically integrated into all relevant mandates provided for in resolutions on armed conflict adopted by the Council.

Fifthly, concerning the full implementation of the 10-point action plan, the plan was introduced by the Office for the Coordination of Humanitarian Affairs and offers a comprehensive strategy to support the protection of civilians in armed conflict. However, its provisions constitute for the most part a declaration of good intentions, given the few commitments by States towards its implementation. Subjects such as the international protection of internally displaced persons and the proliferation of small arms and light weapons in conflicts have not been sufficiently addressed by the international community. Therefore, Mexico considers it important that Member States carefully consider the practical and tangible measures associated with the implementation of the Action Plan.

One of the practical outcomes of the 2005 Summit was the adoption in the Outcome Document of the principle of the responsibility of the international community to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. Almost two years later, we have witnessed enormous difficulties in the application of that principle in concrete situations and in translating the spirit that led to its adoption into actions that have a genuine impact on the lives of hundreds of thousands of people. The resolutions adopted on the situation in Darfur illustrate the difficulties encountered in that respect and the diplomatic inertia to which the Secretary-General recently alluded in a press article.

We all know that the debate about the responsibility to protect involves fundamental principles of international law. Despite the consensus reached in 2005, we cannot deny that an atmosphere of mistrust prevails over that subject. While some States see in the new principle the mere continuance of interventionist policies aimed at destabilizing political regimes, others promote its application in a selective manner, limiting its scope to cases significant for their foreign policy interests. For that reason, it is essential that States commit to reaching new agreements that give true content to such an important principle in an objective and impartial manner.

One of the lessons learned from the atrocities of the past decade in the Balkans and Rwanda, among other conflicts, is that the United Nations must not remain passive and indifferent when faced with situations that threaten to become new humanitarian tragedies — hence, the importance of strengthening the response mechanisms of the United Nations in order to combat genocide and other crimes against humanity. Clear rules must be defined, according to which the Security Council would be able to authorize relevant resolutions under Chapters VI or VII to act against such crimes, while guaranteeing respect for international law. That is a task of primary importance for the General Assembly, in which the Mexican delegation is ready to play an active role.

The President (*spoke in French*): I now give the floor to the representative of Germany.

Mr. Von Ungern-Sternberg (Germany): I have the honour to speak on behalf of the European Union (EU). Armenia, Iceland, Georgia, the former Republic of Macedonia, Moldova, Serbia, Turkey and Ukraine align themselves with this statement. I would like to thank the President of the Security Council for the opportunity to discuss this important issue. I would also like to extend our appreciation to Under-Secretary-General for Humanitarian Affairs, Mr. John Holmes, for his very informative briefing.

The EU is deeply concerned about the growing number of refugees and internally displaced persons worldwide. Right now, we witness yet again the tragedy in the Middle East. The European Union welcomes the approval by the United Nations Central Emergency Response Fund of nearly $6 million to Palestinian refugees who are fleeing the fighting in and around the Nahr El Bared refugee camp. The EU is also pleased that, through contributions made by the European Commission and some of its Member States in their national capacity, further funds have been made available. Overall, the Flash Appeal for $12.7 million has been met.

Women, children and other vulnerable groups are especially affected by armed conflict. Sexual exploitation and abuse continue as widespread atrocities affecting millions of victims. It is estimated, for example, that 40 women are raped every day in South Kivu. Such violence is not an inevitable consequence of war, it needs to be prevented. Sexual exploitation and abuse by peacekeeping personnel is also unacceptable. The EU welcomes the zero-tolerance policy that has been introduced by the United Nations and has adopted the same in its own European security and defence operations.

The illegal recruitment of child soldiers must end. Currently, an estimated 300,000 child soldiers participate in armed conflicts. Recently, we heard

alarming reports from Sri Lanka. But there are also some encouraging developments: in the Sudan, the Sudan Liberation Movement signed an agreement on 12 June to begin handing over children associated with its armed groups. Previously, similar agreements led to the release of several hundreds of former child soldiers in Cote d'Ivoire. In the Republic of the Congo, United Nations peacekeepers and the Congolese police launched a six-month law-enforcement campaign to improve the protection of children.

The growing number of journalists being killed is also extremely disturbing. Just recently, UNESCO voiced grave concern over the alarming increase in the number of journalists who lost their lives in Iraq in the last month. Security Council resolution 1738 (2006), on the safety and security of journalists, media professionals and associated personnel, has become even more relevant. Equally disturbing is the number of humanitarian personnel being killed. We strongly condemn the recent killings of two workers of the Lebanon Red Cross, of two Red Cross workers in Sri Lanka, of two United Nations workers in Gaza, of a member of Médecins Sans Frontières in the Central African Republic, of a member of Caritas International in Darfur and all other killings of humanitarian personnel.

International standards for the protection of civilians in armed conflicts are largely in place. On 8 June we celebrated the thirtieth anniversary of two Additional Protocols to the Geneva Conventions of 1949 that are essential for strengthening the protection of civilians Also, international human rights law continues to be applicable in times of armed conflict.

At the 2005 World Summit, heads of State established the responsibility to protect. The EU welcomes the reaffirmation of that responsibility by the Security Council in subsequent resolutions, including resolution 1674 (2006).

Security Council resolution 1612 (2005) establishes an enhanced framework for the protection of children in armed conflict. The EU is currently developing country-specific recommendations for its actions in countries in which children are affected by armed conflict. I would like to take this opportunity to recall the important adoption, in February 2007, of the Paris Commitments and Paris Principles against the illegal recruitment of child soldiers.

International humanitarian law urges all parties to allow full, unimpeded access by humanitarian personnel to civilians in need of assistance. Furthermore, all those concerned are encouraged to make available all facilities necessary for the operations of humanitarian United Nations and associated personnel and for promoting the safety, security and freedom of movement of such personnel.

The International Criminal Court, international criminal tribunals and special courts, as well as reconciliation commissions, are working to end impunity. Ending impunity is essential if a society in conflict or recovering from conflict is to come to terms with past abuses.

In 2001, the United Nations adopted a Programme of Action aimed at preventing, combating and eradicating the illicit trade in small arms and light weapons. The proliferation and misuse of such weapons constitute the primary cause of civilian deaths. Under German chairmanship, the Group of Interested States in Practical Disarmament Measures, in New York, works closely with the United Nations to identify support for States in their endeavours to reduce and control such arms. In 2005, the EU adopted its own strategy to combat their illicit accumulation and trafficking.

Finally, we need to continue to strengthen these standards and to ensure their full implementation. Let me point out three areas of priority for international action.

First, there must be worldwide recognition of standards. The EU calls on Member States that have not done so to ratify and support the existing conventions and resolutions forming the legal framework for the protection of civilians and to implement them fully within their national legal systems. The EU also calls upon all Member States to abide by and support all resolutions relating to the protection of civilians.

Secondly, there must be clear and sufficiently robust Security Council mandates for peacekeeping operations. As pointed out in resolution 1674 (2006), mandates have to include provisions regarding the protection of civilians within their zones of operation, the facilitation of the provision of humanitarian access and, finally, the creation of conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons. The EU

strongly supports Under-Secretary-General Holmes's request for Council support in situations in which access to humanitarian work is being denied. We also agree that it might be useful to evaluate the practical effects that the inclusion of language concerning the protection of civilians has actually had on the ground.

Thirdly and finally, there must be prevention. Civilian suffering should be prevented in the first place. Early action in the case of simmering conflicts is therefore critical. Timely briefings by the Secretary-General, his Special Adviser on the Prevention of Genocide, the United Nations High Commissioner for Human Rights, the Emergency Relief Coordinator and other relevant actors are extremely helpful in drawing the attention of the international community to areas where conflicts are prone to erupt.

The protection of civilians in armed conflict is a complex task. The EU is fully committed to meeting that challenge. In cooperation with the United Nations, the EU continues its work for the promotion of peace and the prevention of conflict so that, one day in the future, human suffering can end.

Mrs. Eilon Shahar (Israel): At the outset, allow me to congratulate you, Mr. President, on your able stewardship of the Council during this month and to thank you for convening this debate. I also wish to thank Under-Secretary-General John Holmes for his informative briefing and to congratulate him and the Office for the Coordination of Humanitarian Affairs on their important ongoing humanitarian work on the ground.

Israel assigns vital importance to the protection of civilians in armed conflict and is encouraged by the continued efforts of the Security Council and the Secretary-General and his staff in this area. We believe that all individuals should live without fear of physical, sexual, psychological or other forms of abuse, which stem from or are aggravated by conflict. But, as Mr. Holmes noted, lip service is easy; effective action is much harder. Israel agrees, and I wish to share with members our perspective on the matter.

A quick snapshot of conflicts around the world reminds us of the almost daily violence committed against civilians and of the failure of a number of States to protect their civilians from such immediate threats to life and security, triggered by forces of extremism and instability. Sadly, it is primarily civilians who are caught in the crossfire, bearing the tragic toll of casualties and victimhood.

Civilians are often exploited by their own insurgents who intentionally and cynically choose to operate from densely populated areas, in blatant violation of the basic principle of the distinction between combatants and civilians. The persistent violence and the culture of impunity in Darfur have contributed to the continuation of the dire situation in which rape is used as a weapon of war and sexual and gender-based violence are widespread, including in camps for internally displaced persons. Perpetrators should be brought to justice in accordance with international law and the basic dictates of humanity, and immediate humanitarian action should be enhanced. In that regard, Israel hopes for an immediate deployment of the African Union-United Nations hybrid force to the region to ensure the protection of civilians, who have been denied it for so long.

Similarly, the safety and access of humanitarian personnel and journalists, who work as professional independents, must be ensured. Humanitarian workers provide essential services on the ground, and their vital work must not be hampered. The rise in violence directed at journalists and other associated personnel was addressed by the Council last December in its adoption of resolution 1738 (2006). The Council rightfully took a strong stance in condemning the intentional attacks against journalists, and parties in conflict should be mindful of the obligations in this area. Additionally, the masquerading of terrorists and militants in the vehicles of journalists must be forcefully condemned.

When sovereign States fail to govern responsibly according to their duties under international law, terrorists and other non-State actors seek to take advantage of the void. We have witnessed that deeply troubling phenomenon too many times in our region. This past Sunday, in a moment of déjà vu, we saw rockets once again launched directly at civilians in northern Israel by terrorist factions in southern Lebanon.

Moreover, the blatant disregard of terrorists for the sanctity of human life is a brutal maliciousness that we have seen, even among their own populations. The abuse, manipulation and endangerment of civilians are at the heart of terrorist thinking and tactics. In Lebanon, Hizbullah stored its rockets inside homes and

launched attacks from positions nestled within the fabric of civilian life and in proximity to places of worship and hospitals. In the Gaza Strip, Palestinian terrorists firing Qassam rockets use similar tactics. As we see, terrorists groups such as Hizbullah and Hamas share those tactics.

Additionally, in Gaza we have seen the violence against Israel accompanied by intra-Palestinian violence, with blatant disregard for the rights of civilians caught amid the fighting of warring factions. In this case, civilians are not merely used as shields to mask acts of violence; in actual fact, they are deliberately targeted.

The vigilance of the international community in protecting civilians, particularly in cases where States are not able to do so, must not wane. The international community's choice to deal with these situations could save the lives of countless civilians.

To this effect, there should be greater focus on timely and credible prevention measures, in addition to restorative actions, in order to ensure that humanitarian agencies can be effective in pursuing protection concerns in the field. Effective action also requires consistent follow-up. The Council must be proactive in monitoring the implementation of these resolutions to avert further crises stemming from State neglect.

Israel recognizes that it is the duty of all States, first and foremost, to protect their civilians from all harm. Equally important is the obligation of all States to ensure that attacks are not launched from their own sovereign territory.

Failure to hold accountable terrorist groups, as well as those States which provide safe haven and refuge for them, will only encourage extremists to increase their abuse and manipulation.

The President (*spoke in French*): I give the floor to the representative of Nigeria.

Mr. Wali (Nigeria): Mr. President, my delegation appreciates your initiative to convene this debate on the protection of civilians in armed conflict, especially at a time when, in spite of the unwavering efforts of the international community to douse conflicts in our society, new cases are rapidly evolving while expectations of dealing decisively with those already ongoing are becoming disappointingly wishful. We also thank Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, for his comprehensive briefing on this subject.

We believe that the time has come for the international community to re-examine when it is its responsibility to protect civilians, without prejudice to the sovereignty of Member States. The genocide in Rwanda, the ethnic cleansing in Bosnia and the crimes committed against unarmed civilians in areas of conflict, especially in Africa, serve as a constant reminder that we have to seek a generally acceptable understanding when the international community exercises its responsibility to protect.

We expect that Member States will use this opportunity to reflect and exchange views on the precarious situation of, and daunting challenges facing, unarmed civilians in conflict situations. We acknowledge the fact that non-combatant civilians are increasingly the first fatalities of, and bear the burdens imposed by, armed conflicts, whose causes are usually not of their own making.

In that regard, not only do untimely deaths result from deliberate armed attacks by contending parties seeking to carry out reprisals, but the social, cultural and economic lives of such non-combatant non-parties to conflicts — which include the aged, women, children and youths — are, unfortunately, adversely affected. Civilians often become pawns in this deadly game, which neither has rules nor respects the dignity of persons.

It is inhuman, to state the obvious, that the heavy burdens which conflicts impose on civilians include denial of access to medical care. The situation is even more precarious for people with disabilities, those afflicted with age-related discomforts and others with serious diseases, who, along with the healthy, must endure the burdens associated with refugee status within and outside their countries.

It is therefore the belief of my delegation that this open debate will help the international community to focus attention principally on the urgent task of protecting and safeguarding civilians wherever conflicts erupt.

In that regard, Nigeria welcomes the increased capacity of the African Union to forestall and resolve armed conflicts and protect civilians in war situations through its Peace and Security Council. We also welcome the valuable extension of logistical support

from the United States of America and the European Union to the African Union Peacekeeping Operations in the Darfur region of the Sudan.

We appreciate the renewed United Nations-African Union partnership aimed at identifying specific cases in which the United Nations could, as a matter of improving the African capacity for peace operations, assist the African Union with capacity-building requirements, including in the area of monitoring the conduct of parties to conflicts.

Condemnation by States Members of the United Nations of rape and sexual assault against women, as well as expressions of outrage by human rights advocates as a whole directed at the enlistment of child soldiers into combat, are a veritable and useful means of protecting civilians in conflict situations.

My delegation believes that the expansion of the scope and definition of war crimes and crimes against humanity to include rape, enforced prostitution, trafficking, enslavement and torture has resulted in an increase in the number of persons brought before the International Tribunals for acts committed against civilians in the course of armed conflicts.

In order to strengthen those laudable initiatives, in particular those already embarked upon by the international community aimed at bringing succour to hapless civilians caught up in the tragic consequences of events they have hardly provoked or facilitated, my delegation further wishes to urge those States that have not done so to adopt, ratify or codify in their national laws the various conventions and protocols on the law of armed conflicts and to ensure the implementation of their provisions. That calls for a more results-oriented strengthening of legal frameworks and mechanisms for monitoring and reporting attacks against civilians by States and non-State actors.

My delegation wishes to re-emphasize that another way of protecting civilians from the ravages of armed conflict is through conflict prevention. Experience has shown that it costs less to prevent conflicts than to control them. Within the West African subregion, for instance, in the context of the Economic Community of West African States (ECOWAS), Nigeria has been steadily coordinating initiatives with other member States of the Community in bringing about the peaceful resolution of conflicts within and among the member States and other States contiguous to Nigeria. It makes tremendous positive sense to prevent the civilian casualties that would result were the parties to resort to war.

Unfortunately, conflicts are the inevitable consequence of the diversity of human behaviour. We should therefore always expect them and continue to mainstream civilian protection into United Nations regional peacekeeping operations. More importantly, we should tackle their root causes of conflicts with a spirit of openness, mutual compromise and give and take. By doing so, we can provide rest to the weary, daylight to the discouraged and sunshine to the sad — nature's best antidote for trouble.

The President (*spoke in French*): I give the floor to the representative of Canada.

Mr. McNee (Canada): I am pleased to speak today on behalf of Canada, Australia and New Zealand (CANZ).

Let me first thank Under-Secretary-General Holmes, the Emergency Relief Coordinator, for his very helpful presentation earlier today. His leadership as an advocate for the protection of the displaced and dispossessed is more critical than ever before. We also wish to express our thanks to Belgium for having convened this important debate today.

The protection of civilians is not simply an abstract or theoretical debate for the Security Council. Rather, it remains an essential objective in the context of contemporary conflict. The death and displacement of men, women and children is a deliberate objective of warring parties and terrorist groups. Girls and boys are recruited as combatants; civilians become unwitting targets of suicide bombers; families are displaced from their homes; sexual violence is a deliberate weapon of war; and civilian infrastructure and economies are often shattered.

The consequences of such actions play out daily in the Darfur region of the Sudan and in Afghanistan, Iraq, northern Uganda, Lebanon, Somalia and Sri Lanka, to name just a few. The Council's focus, therefore, on ways in which it can effectively respond to protection challenges remains critical.

CANZ applauds the role that the Council has played to advance international understanding of protection issues and international action on behalf of people at risk. The Council's decisions, in both thematic and country-specific resolutions, have made clear that the plight of civilians must be addressed

effectively as part of any comprehensive international response. But it is vitally important that we continue to bridge the gap between words and deeds.

In Darfur and in Chad, for example, we all have seen an escalation of violence in recent months. CANZ partners condemn the persistent culture of impunity and the increasing attacks on civilians, African Union and United Nations personnel, and humanitarian workers perpetrated by all parties to the conflict. The situation is further compounded by the obstacles to humanitarian access which continue to be imposed by the Government of the Sudan.

We are encouraged by the Government of the Sudan's acceptance of the AU-United Nations hybrid operation and urge all parties to implement an effective ceasefire and facilitate the rapid implementation of that force, which should include a robust mandate for the protection of civilians. We also urge the Sudan to take measures to prevent further violations of human rights, to ensure that perpetrators are brought to justice in accordance with international law, and to facilitate urgently needed humanitarian assistance to vulnerable populations.

CANZ joins other delegations in calling upon the Government of the Sudan to cooperate with the International Criminal Court. Steps must be taken immediately to secure the arrest and appearance of two named suspects before the Court. We call on the Council to ensure full implementation of existing resolutions, including resolution 1591 (2005), which stipulates that the Sudan must cease conducting offensive military flights over Darfur, and we call upon all parties to the conflict immediately to cease hostilities and actively seek a political solution under AU and United Nations leadership.

In places such as Afghanistan, non-State actors continue to deliberately target civilians, including aid workers. Respect for international humanitarian law and the protection of civilians must remain the priority of the international community. Our resolve to augment civilian protection in the face of such violence must not wane.

Insurgents, warlords and criminals continue to terrorize and victimize civilian populations. In the face of that, CANZ partners are encouraged by the efforts of the United Nations Assistance Mission in Afghanistan (UNAMA) to adopt more strategic and coherent approaches to civilian protection. Ongoing planning by UNAMA and the Office for the Coordination of Humanitarian Affairs (OCHA) to convene a protection of civilians workshop can help create a better understanding of the protection challenges Afghans face and of how actors on the ground can work together better. Clear and mutually reinforcing protection strategies remain an important element of the international efforts to assist Afghanistan in achieving long-term stability and security.

Identifying and addressing the needs of the most vulnerable, ensuring that State and non-State actors fulfil their responsibilities towards affected populations and are held accountable when they do not, and developing the tools and strategies needed to help guide international responses stand out as key challenges. There are, however, no quick fixes to those complex problems, but there are practical actions that all Member States can support and where long-term Council leadership is required. I would like to highlight three areas in which strategic and mutually reinforcing investments must be made as part of an international protection strategy.

First is enhancing the evidence base. The 2005 report of the Secretary-General noted that future reports on the protection of civilians would ensure a greater emphasis on empirical information to reflect the effect of conflict on the quality of life and wellbeing of civilian populations. CANZ wholeheartedly supports that approach. We look forward to an indication of progress in the Secretary-General's next protection of civilians report in December.

Monitoring and reporting activities can provide reliable data which assist the Council, in partnership with other actors, to respond to crises with the right tools and in a timely manner. In that regard, and speaking for a moment in my national capacity, let me say that my delegation warmly welcomes the call made this morning by John Holmes for a comprehensive assessment of the impact of protection of civilians mandates on the ground, as well as his proposal more systematically to track instances of internationally restricted humanitarian access and to create an incident-reporting mechanism so that Council members are informed in real time of cases of gravest concern.

CANZ acknowledges, however, that it is risky to collect and report on violations in the field — both for the collectors of that information and for victims. It

can have implications for humanitarian access to affected populations and it can put the safety of United Nations and associated personnel at greater risk of violence. Thus, for monitoring and reporting mechanisms to be sustainable, the Council must be willing to act decisively on the reports it receives and demonstrate that there will be no impunity for attacks against civilian populations.

A second point is that monitoring and reporting can be truly effective only if civilian and military actors have sufficient knowledge of and experience in addressing protection concerns and priorities. Resident and humanitarian coordinators, special representatives of the Secretary-General, and military and civilian personnel deployed as part of international peace support operations all need to understand their roles and responsibilities and the tools at their disposal if they are to ensure that protection needs are being addressed.

Finally, in resolution 1674 (2006) on the protection of civilians, the Council stressed the importance of developing clear guidelines for civilian protection mandates. CANZ urges OCHA and the Department of Peacekeeping Operations to make progress in that area and to update Member States on how resolution 1674 (2006) is being implemented in the next Secretary-General's report. Resolution 1674 (2006) also refers to the Council's unique responsibility to protect civilians from the most acute threats to their personal security — genocide, war crimes and crimes against humanity — including through enforcement action under Chapter VII. Operationalizing the concept of the responsibility to protect must be the focus of further work by the Council.

(*spoke in French*)

In conclusion, when it comes to the protection of civilians, transforming international legal norms into practice and commitments into action is no easy task. We must therefore be prepared to work diligently and over the long term to achieve those ends. Critical to that effort will be our capacity to maintain momentum within the most senior levels of the United Nations and within the Council to keep this issue at the front and centre of our work. Later this year, the Secretary-General will report to the Council on the protection of civilians. The report will be an important tool to ensure that our collective momentum is maintained and to promote tangible and practical strategies to address emerging protection challenges.

Collectively, we must ensure that populations at risk have access at all times to the greatest protection possible, that perpetrators of abuse will be held accountable for their actions, and that advocacy, monitoring and capacity-building deliver real results and make a positive difference in people's lives. This Council, and indeed the international community as a whole, will be judged on its ability to protect the most vulnerable. It is a challenge that we simply must meet.

Mr. Ritter (Liechtenstein): The formal recognition in the World Summit Outcome of the responsibility of the international community to protect civilian populations when their Governments fail to do so constitutes a major breakthrough in our common endeavour to prevent genocide, war crimes and crimes against humanity.

The main obligation for its implementation naturally falls on the Security Council. Diplomatic means such as targeted sanctions and embargoes, used in an effective way, should be employed at an early stage when violations against civilians prevail to signal the concern of the international community and to serve as a first step to protect. Collective action to prevent and respond to genocide, crimes against humanity and war crimes must not be made impossible by a non-concurring vote of one of the permanent members of the Council. That principle was first proposed by the High-Level Panel established in preparation of the World Summit of 2005 and has been taken up in the proposals on the working methods of the Security Council presented to the General Assembly last year that were prepared by the group of five small nations, to which we belong.

The rest of the United Nations membership also has a role to play in making the responsibility to protect operational, in that they can bring situations to the attention of the Security Council in open debates and through other means, such as consideration in the General Assembly. Furthermore, article 8 of the Convention on the Prevention and Punishment of the Crime of Genocide allows any contracting party to call upon the competent organs of the United Nations to take appropriate action.

The decision of the 2005 Summit is complementary to earlier resolutions of the General Assembly, such as Assembly resolution 46/182, which

stresses the primary, although not exclusive, responsibility of national authorities to protect their own populations. The principle of the responsibility to protect reaffirms that primary responsibility and complements it with the role of the international community when that responsibility is not met. That resolution also calls upon all States whose populations are in need of humanitarian assistance to facilitate the safe access of humanitarian actors to such people. All too often, that fundamental principle is neglected. Humanitarian access to the vulnerable is a vital stepping stone to the protection of civilians in armed conflict.

Where national authorities are unable or unwilling to ensure that such access is granted and respected, the Security Council must step in to create and maintain the operational space needed by humanitarian actors to provide assistance. In many situations, security is so precarious that humanitarian workers remain at considerable risk of violence. That is where the role of the Security Council in defining and facilitating the tasks and capacity of peacekeepers is crucial. At the same time, wider acceptance of the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel, which provides for substantial expansion of the scope of legal protection for such personnel, is urgently needed.

International protection for civilians, whether by peacekeepers or humanitarian workers, can only be an interim response. Without political solutions, civilians continue to suffer and humanitarian workers are faced with open-ended displacement. Liechtenstein supports the idea of strengthening the mediation capacities of the Department of Political Affairs. The early use of the Secretary-General's good offices can be an important tool for a comprehensive preventive approach to the protection of civilians in armed conflict. We consider mediation to be a core activity of the United Nations, in accordance with its purposes and principles.

An unequivocal and firm stance by the Security Council that there will be no impunity for the deliberate targeting of civilian populations would have a strong deterrent effect in any situation, and thus also serve as a very useful prevention tool. Prevention is indeed a key aspect of the protection of civilians. Preventive action can, however, be effective only if it is made clear that abuses against civilian populations, which are often carried out against their most vulnerable members, in particular women and children, are violations of international law that will not go unpunished.

In that context, Liechtenstein wholeheartedly welcomes the first convictions for the recruitment and use of child soldiers rendered by the Special Court for Sierra Leone. That constitutes another significant step in the area of international criminal justice, which has expanded very rapidly, and is one of the most important developments in international relations over the past two decades. That historic judgement also strengthens the role of the Security Council its fight against impunity. We believe that the International Criminal Court (ICC) must play the central role in the efforts of the international community to end impunity and hope that the Security Council will give its full support to the ICC in that respect.

The President: I now give the floor to the representative of the Republic of Korea.

Mr. Choi Young-jin (Republic of Korea): I would like to thank you, Mr. President, for convening today's open debate on the protection of civilians in armed conflict. This issue is indeed a major concern of the international community, especially in an era when intra-State conflicts stemming from ethnic, religious and cultural differences have become more frequent and more common than ever. My appreciation also goes to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs, for his comprehensive presentation on this important issue.

Since the introduction of the topic of the protection of civilians in armed conflict into the Security Council in 1999, progress has been made on this issue. In particular, the adoption of resolution 1674 (2006) last year was a significant step forward, reinforcing the legal framework established by previous resolutions on the subject. Despite the continued efforts of the United Nations, however, it remains a sad reality that civilians continue to bear the brunt of armed conflict and terrorism. The world still continues to witness massive human rights violations, unconscionable violence and brutal killings. In both international and civil conflicts, the international community today has become increasingly aware of its responsibility to protect civilian populations.

My delegation would like to emphasize three issues that we believe are particularly important to the protection of civilians: conflict prevention, the

development of a specific mechanism for the protection of civilians in each armed conflict and the elimination of the culture of impunity.

Needless to say, the best way to protect civilians from the dangers of armed conflict is to prevent armed conflicts from erupting. It is therefore of the utmost importance to develop a broad strategy for conflict prevention that addresses the root causes of armed conflict. In dealing with these causes, the question of good governance should be a critical concern for the international community. Any strategy for prevention will also need to be based on solid analysis of both ongoing and newly emerging situations that have the potential to develop into armed conflict. The Security Council has a significant role to play in this regard.

Secondly, while a generalized approach is needed, we are of the view that because each conflict is unique, the Council should develop a mechanism for a case-by-case analysis for the protection of civilians. A specific mechanism should be in place to analyse the particular characteristics of each armed conflict and develop an individualized approach to the protection of civilians. In our view, to be effective, such a mechanism would require a strong system of information-sharing among all relevant actors, including peacekeepers and humanitarian non-governmental organizations on the ground.

Thirdly, to deter the recurrence of crimes against innocent civilians, the culture of impunity must be brought to an end. The establishment and operation of the International Criminal Court, the International Criminal Tribunals for the Former Yugoslavia and Rwanda and the Special Court for Siena Leone have great significance in this regard. Also crucial to ending impunity is providing assistance for judicial capacity-building in war-torn societies, with a view to ensuring that law and order are restored.

Today's topic, the protection of civilians in armed conflict, is a current and compelling security concern that requires coordinated multilateral action from the international community. We are still distant from translating our responsibility to protect into adequate action. Beleaguered communities still suffer. It is therefore important that we build upon the progress already made and strengthen our efforts to achieve a more secure and orderly world in which every human being is respected and protected within a culture of peace.

The President (*spoke in French*): I now give the floor to the representative of Rwanda.

Mr. Nsengimana (Rwanda): The Rwanda delegation commends you, Mr. President, for convening this important open debate of the Security Council to discuss the issue of the protection of civilians in armed conflict. We would like to join other delegations in expressing our thanks to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, for his briefing.

The Rwanda Government condemns in the strongest terms the deliberate targeting of civilians in conflict. Rwanda fully supports Security Council resolutions on the protection of civilians in armed conflict. The most serious crimes in situations of conflict are committed against poor, defenceless and voiceless people, often living in remote locations far from the sight of the international community and the media.

It is for such people that the implementation of resolutions 1674 (2006) and 1738 (2006) is most urgent. Despite these resolutions, and despite the endorsement by all States at the 2005 World Summit of the principles of the "responsibility to protect", which my Government strongly supports, too many people continue to suffer unspeakable horrors in situations of armed conflict. It is clear that much more needs to be done, particularly by this Security Council, which is the Charter-mandated body responsible for international peace and security.

We believe that our common humanity should unite us in the resolve to put an end to the suffering of millions of people who live in, and are threatened by, situations of conflict. This resolve entails national Governments taking full responsibility to protect civilians, and, where they are unable or unwilling to do so, the international community acting through the Security Council to take appropriate steps to provide such protection. It is essential that, in taking such actions, the Security Council be seen as consistent and just, acting in the best interests of the international community, and that it show special concern for those who are most defenceless and vulnerable and most in need of protection from the international community. It was, after all, to protect such defenceless people that, in the aftermath of the Holocaust, the United Nations and its Security Council were established.

Let the 1994 genocide in Rwanda, and other similar situations, serve as a lesson that when the United Nations, and specifically the Security Council, fails to take appropriate, timely and decisive action to provide protection for people under threat, the consequences are catastrophic.

Finally, we would once again point out that the Interahamwe militia, which was responsible for the 1994 genocide in Rwanda, remains active in the eastern part of the Democratic Republic of the Congo, where they continue to terrorize, murder and rape innocent civilians with impunity. It is inexplicable that, 13 years after the Rwanda genocide, and despite the numerous commitments of the international community to prevent and combat genocide and to protect civilians in armed conflict, this force continues to kill innocent civilians. The presence in the eastern part of the Democratic Republic of the Congo of the largest peacekeeping force in history has equally failed to address this problem. We call upon this Council to address the issue urgently.

The President: I now call on the representative of Myanmar.

Mr. Wai (Myanmar): Mr. President, I wish to thank you for giving me the opportunity to participate in today's open debate on this important subject. I would also like to thank the Under-Secretary-General for Humanitarian Affairs, Mr. John Holmes, for his comprehensive briefing this morning.

Armed conflict breeds a cycle of violence and brings untold suffering to innocent civilians. Armed conflict is exacerbated by the easy availability of illicit small arms and light weapons. Every year, some 300,000 civilians are killed by small arms and light weapons in armed conflict. Every day, some 1,400 civilians die in armed conflict because of the easy availability of small arms and light weapons. One of the most effective ways to protect civilians in armed conflict is to have a legally binding international instrument prohibiting the illicit trade of small arms and light weapons with non-State actors.

The United Nations Security Council adopted resolution 1674 (2006), which condemns in the strongest terms all acts of violence or abuse committed against civilians in situations of armed conflict. Myanmar joins the international community in condemning all such acts. We are in full sympathy with victims of armed conflict in various parts of the world, because we ourselves have gone through the bitter experience of insurgent groups committing atrocities against our civilian population.

Soon after attaining independence, Myanmar had to face numerous insurgencies. Until recently, there were 18 insurgent groups in the jungle. My country continues to face a situation where the insurgents deliberately target civilians. Throughout the various periods of the insurgency, our civilian population has suffered much at the hands of the insurgents.

I wish once again to stress our strong belief that the most efficient way to protect civilians in armed conflict is to resolve the root causes and bring armed conflict to an end. Therefore, the Myanmar Government has embarked on a national reconciliation process and has been successful in bringing 17 out of the 18 insurgent groups back to the legal fold. As a result, some 100,000 former armed insurgents are no longer fighting against the Government. The only major armed group left is the Kayin National Union (KNU). The Government continues to invite the KNU insurgents to come back to the legal fold.

In the past, we encountered difficulties in our discussions with the KNU because of some outside interference that hindered the peace process. However, we are gratified that, as a result of the Government's continued efforts to bring about national reconciliation, we were able to reach a peace agreement with an important faction of the KNU/Karen National Liberation Army (KNLA) in February 2007. Led by the Chairman of the KNU/KNLA Peace Council, 320 members returned to the legal fold after the successful conclusion of peace negotiations. The Government will continue its endeavours to negotiate with the remaining faction of the KNU to return to the legal fold, to join hands with the local populace in developing their region.

We categorically reject the groundless accusations that the Government targets the civilian population. Even with respect to the insurgents, we conduct counter-insurgency operations only against those KNU elements that engage in terrorist activities. In the Kayin state, where the KNU has not conducted its insurgent activities, the Government does not conduct counter-insurgency campaigns. It is only towards those elements of the KNU and the self-styled Shan State Army South who are carrying out terrorist activities against civilians that the Government

conducts military operations. We will not tolerate terrorism under any guide or pretext; nor should anyone else do so.

We continue to strongly believe that a comprehensive approach aimed at promoting economic growth, eradicating poverty and bringing about sustainable development and national reconciliation would go a long way towards putting an end to armed conflict. Based on that conviction, the Government has, in the past decade, spent more than 97.69 billion kyats and more than $550 million to develop the border areas where most of our ethnic nationalities reside.

The Myanmar Government will also do its national duty to protect its citizens and to bring peace, stability and prosperity to the country.

The President: I invite the representative of Colombia to take the floor.

Ms. Blum (Colombia) (*spoke in Spanish*): I should like at the outset to convey to you, Sir, my delegation's appreciation for the work that you have been carrying out as President of the Security Council for this month. We would like also to thank Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, for his briefing.

International humanitarian law, including the Fourth Geneva Convention and its two Additional Protocols, establishes clear provisions with regard to the protection of civilians, the issue the Council is considering today. The Government of Colombia shares the concerns expressed with regard to violations of those norms and reiterates its firm commitment to them.

In that connection, we would like also to stress several aspects of the issue. In keeping with the Charter of the United Nations and the provisions of international humanitarian law, Governments bear primary responsibility to protect civilians, while United Nations agencies and other international community actors can provide support for the implementation of existing provisions. That should be done in keeping with State sovereignty and in accordance with guidelines provided by the Government in question. In that respect, it is important to draw a clear distinction between the protection of civilians and the provision of humanitarian assistance.

Colombia appreciates the work done by the United Nations agencies in the area of humanitarian assistance, and we stress the importance of such work being carried out on the basis of the principles of impartiality, neutrality, humanity and independence. That will enable us to guarantee the humanitarian character of any operation of that type. We would like also to underline the importance of prevention-related activities as the most effective way of protecting populations. Efforts to that end should focus on providing such populations with a favourable and secure environment so that they can improve their living conditions.

My delegation likewise wishes to make a few comments with regard to the reference to Colombia in the statement made by the Under-Secretary-General, referring to situations in which civilians have been the deliberate targets of acts of violence, resulting in a climate of fear and in destabilization. With respect to Colombia, my delegation would like to make it clear that reference must be made to situations in which crimes were committed by violent groups acting on the margins of the law. In his briefing, the Under-Secretary-General referred to assassinations, disappearances and other violations of international humanitarian law and human rights law committed by armed persons, without making it clear exactly to which actors he was referring. This should not be understood as alluding to the legitimate armed forces of the Colombian State, which are working daily to improve the security and stability of the country and to protect the population from the criminal acts of violent groups.

As we have stated in the Council on previous occasions, specific incidents of violence have been caused by illegal armed groups, financed by illicit activities such as drug trafficking, and have claimed civilian victims. My Government, which was democratically elected, remains firmly committed to the promotion of comprehensive policies aimed at restoring security throughout our national territory. Since 2002 those policies have enabled us to reduce criminality across the board and to bring about stability and trust and create new conditions conducive to the effective protection of the population.

The President (*spoke in French*): I give the floor once again to Mr. Holmes to respond to comments made.

Mr. Holmes: I shall be brief, given the hour. I have listened very carefully to the debate and to all the comments that have been made, and I welcome, above all, the commitment to this agenda of the protection of civilians; the recognition, I think, by all speakers of the need to do more to turn our words into deeds now and in future; and the general recognition that we need to be even more proactive than we have been in the past, not least in the field of conflict prevention.

I should like also to take this opportunity to thank all those speakers who have paid tribute and recognition — here I am speaking on behalf of the humanitarian community as a whole — to humanitarian workers in the field, and the recognition of the sacrifices that they have to make, including, on too many occasions, the ultimate sacrifice.

Let me reassure those who have raised the point that, of course, I fully recognize the distinction between the deliberate targeting of civilians and other actions which result in civilian deaths. There is, of course, a heavy obligation on the part of those who are using force in areas where civilian populations are present to do everything possible to avoid those civilian deaths. Let me add that I also take full note of the statement made just now by the representative of Colombia.

Let me thank several Member States for the support they gave to the ideas that I put forward in a preliminary way with regard to taking a more systematic look in the future at the effect of the inclusion of protection concerns in peacekeeping mandates and what effect those have had on the situation on the ground and, similarly, to looking systematically and regularly at cases of denial of access for humanitarian workers, which, as many speakers have commented, is a fundamental point if we are going to do our job of attempting to protect civilians. I will look at how we can take these ideas further.

I have also taken note of, and we will follow up on, other suggestions that were made during the debate, including some for the next report of the Secretary-General, in October.

I note in particular: the suggestion by the representative of Canada, speaking on behalf of Australia and New Zealand as well, regarding a better evidence base to enable us to measure progress towards protection objectives; the idea of looking at how far we are succeeding in implementing resolution 1674 (2006) on the protection of civilians; the idea of an annex to the Secretary-General's report precisely on issues of access, which I have already mentioned; and the suggestion that the Office for the Coordination of Humanitarian Affairs and the Department of Peacekeeping Operations should cooperate even more closely than we do already on the question of peacekeeping mandates to ensure that protection concerns are fully included — and let me assure the Council that that cooperation is already extremely good.

The representative of Japan suggested that there could be an updating of the aide-memoire adopted by the Council on the protection of civilians. I think that is a good suggestion which we might try to take up, perhaps during 2008. There was also a suggestion, I think by the representative of the Republic of Korea, that there should be a specific mechanism to look at how we deal with the protection of civilians in each particular conflict — to look at the specificities of each case. I agree that that is a suggestion worth taking up.

Several speakers referred to the importance of the role of regional organizations in the protection of civilians. I agree that that role is important — and, indeed, increasingly important. I pay tribute to the efforts of the African Union and the Economic Community of West African States to recognize the importance of the protection of civilians in their political reconciliation efforts in various conflicts in Africa. I think the cooperation between the United Nations and the African Union in this area is increasingly important for the future; it was recognized as such in the recent agreement. As one or two speakers mentioned, we held a high-level conference in Dakar this year, on capacity-building precisely for these kinds of objectives. We would certainly be willing to repeat that in other regions.

Several delegations referred to the current humanitarian issues in Gaza. I fully recognize the seriousness of the humanitarian situation in Gaza. We, together with our representatives on the ground, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the Office of the United Nations Special Coordinator for the Middle East Peace Process and others, are making every effort to ensure that the crossings can be opened as soon as possible. Without full opening of the crossings, in particular the Karni crossing, we face the possibility of a

humanitarian crisis in Gaza in a few weeks' time because of lack of food and lack of medical supplies. Some supplies are getting through at the moment, but they are certainly not sufficient to deal with the problem. We are fully focused on that, and I can assure the Council that we will do our best to make sure that we can resolve those issues quickly.

Several representatives mentioned the responsibility to protect and the agreement on that at the 2005 World Summit. Delegations mentioned it in different ways, which perhaps illustrates the complexity of this debate and the complexity of the discussion we face on how to implement the responsibility to protect. This is a debate which we clearly need to continue, and it will be continued this year, as already promised. I think my only comment would be that, in debating this issue, we should not focus too exclusively on the possible actions of last resort in the responsibility to protect. There are many stages before that in helping countries to exercise their responsibility to protect their own civilians.

Finally, let me just repeat that I think it is clear from the debate that this is an issue of great concern to many Member States, and justifiably so. I take away the message that we need to go on looking for new ways to take effective action to protect civilians in armed conflict. As several members pointed out, this is an important criterion for judgement of the efficacy of the Security Council itself. Of course, it was very useful to have a reminder from the representative of Rwanda of what it is we want to make sure to avoid in the future.

Let me conclude by saying that I recognize my own responsibility in this area and that I will do my best to fulfil it.

The President (*spoke in French*): I thank Mr. Holmes for the clarifications he has provided.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 2.05 p.m.